Bombay Gazette.

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VOLUME XLVI.] SATURDAY, AUGUST 29, 1835. [No. 2,514.

NOTICE.—A Letter bearing date, "*Calcutta, 3d August*, 1835," endorsed to NOWROJEE HORMASJEE ESQUIRE, bearing the signature of JOHN PALMER, *Trustee of the Estate* of CLAUDE QUIRIES, has been received, and was by mistake opened by the Printer of this Paper, answering to the same name, not knowing, but that the letter in question, was intended for him, but, on perusal finding that the communication was intended for another individual of this name—He now gives notice that the said letter will be delivered up to any individual answering the above signature, who may satisfactorily prove his right to the same.

NOWROJEE HORMASJEE,
Printer Bombay Gazette.
Bombay, 29th August, 1835.

ON Sale.—at the Godowns of Messrs. GILLANDER, EWART and Co., superior pale COGNAC BRANDY, in cases of 3 doz. each, at ~~Rs~~ 12 per dozen.

Bruce Lane, 29th August, 1835.

FOR Sale at LEGGETT'S Bakery, fine London fancy biscuits received by a late arrival; may be had by the lb. or in cannisters of 6 lbs.

Bombay, 29th Augt., 1835.

PROSPECTUS.

To [illegible]

(O[illegible] *be Published on the 1st of January.*

[illegible]N ENGLISH PAPER AND GOOD TYPE)

THE BOMBAY CALENDAR AND DIRECTORY,

FOR 1836.

CONTAINING a Historical and Topographical Sketch of the Island of Bombay and its more immediate dependencies—(accompanied by a Map); The Army List, Divisional, Brigade and Garrison Staff, the Medical Establishment, the Civil List, the Home Establishment of the Indian Government, the Ecclesiastical Establishment of the Churches of England and Scotland in India, the Indian Naval List, a List of H. H. the Nizam's Army, a List of the European Inhabitants of the Island of Bombay, Marryat's Code of Signals, with a variety of other matter, which has not hitherto appeared in any similar publication at this Presidency, the particulars of which will be more fully given, as soon as a Table of Contents to the proposed Calendar is prepared. As only a limited number of copies will be struck off, Subscribers are requested to send in their names to the Gazette Office, where copies *five Rupees each*, will be delivered upon application.

GAZETTE OFFICE, 29*th August*, 1835.

FOR SALE.—Marryat's Signals,.....Rs. 2
Respondentia Bonds, each.. „ 1
Ships Articles..... „ 1
Policies of Insurance,..... „ 2
Bills of Exchange, per set, qrs. 2
Interest Bonds,..... ....„ 2
Bills of Lading..... .....„ 2
Powers of Attorney, each ....„ 2

☞ Orders for Letter Press, and Copper Plate Printing, punctually attended to.

GAZETTE OFFICE, 29*th August*, 1835.

A CARD.

R. J. BATHERJEE has for sale at his Bakery in Meadow Street, Cabin Biscuit recently received from the American bark *Elizabeth*, Captain SMITH.

Bombay, 29th August, 1835.

NOTIFICATIONS.

FORT WILLIAM.
LEGISLATIVE DEPARTMENT.
THE 3D AUGUST 1835.

The following Act, passed by the Hon'ble the Governor General of India in Council, on the 3d August 1835, is hereby promulgated for general information:

ACT No. XII, of 1835.

Be it enacted, that Regulation IV. 1829, of the Madras Code, entitled a Regulation for annulling the Sunnuds-i-Milkeut Istimrar issued for the Zemindaree of Nozeed and Ellore, in the Zillah of Masulipatam, and for empowering the Government to issue new Sunnuds for the same—and Regulation IV. 1830, of the same Code, entitled a Regulation for suspending the Provisions of the Regulation IV. 1829, be rescinded.

W. H. MACNAGHTEN,
Secy. to the Govt. of India.

FORT WILLIAM,
LEGISLATIVE DEPARTMENT,
THE 3D AUGUST, 1835.

The following Act, passed by the Hon'ble the Governor General of India in Council on the 3d August 1835, is hereby promulgated for general information:

ACT No. XIII. of 1835.

Be it enacted, that it shall be competent to the Court of Sudder Fouzdarry Adawlut for the Presidency of Bombay to direct, that any person accused of any offence, and subject to the jurisdiction of the Courts of the East India Company, may be tried in any Zillah of the said Presidency.

W. H. MACNAGHTEN,
Secy. to the Govt. of India.

FORT WILLIAM.
LEGISLATIVE DEPARTMENT,
THE 3D AUGUST, 1835.

The following Act, passed by the Hon'ble the Governor General of India in Council, on the 3d August 1835, is hereby promulgated for general information:

ACT No. XIV. of 1835.

Be it enacted, that it shall henceforth be competent to the Governor of Bombay in Council, by an Order in Council, to appoint any Military Officer in the service of the East India Company, a Magistrate or an Assistant Magistrate in one or more Zillahs, and to confer on any Assistant Magistrate, by a Special Order, any of the powers of a Magistrate.

W. H. MACNAGHTEN,
Secy. to the Govt. of India.

FORT WILLIAM,
LEGISLATIVE DEPARTMENT,
THE 3D AUGUST, 1835.

The following Act, passed by the Hon'ble the Governor General of India in Council, on the 3d August 1835, is hereby promulgated for general information:

ACT No. XV. of 1835,

I. *First.* Be it enacted, that from the 1st day of September 1835, Section XVIII. Regulation V. of 1802 of the Madras Code, be rescinded.

Second. Be it enacted, that if a witness duly summoned by the Court of Sudder Adalut of Fort St. George shall not attend, or shall refuse to give evidence, in the manner prescribed by the existing Law, that Court may impose on such witness a fine, not exceeding five hundred Rupees, and may commit him to the Jail of the Zillah Court nearest to the Presidency, until he shall consent to give his evidence in the manner prescribed. And if the said witness shall not pay the fine imposed on him, it shall be lawful for the said Court of Sudder Adalut to direct him to be kept in confinement for a further term not exceeding three months.

II. If any person shall be guilty of contempt of the Court of Sudder Adalut in open Court, the Court may immediately punish the offender by fining him in a sum not exceeding five hundred Rupees, or by committing him to custody in the Jail of the Zillah Court nearest to the Presidency, for a term not exceeding six months.

III. If it shall appear to the Court of Sudder Adalut that any person has been guilty of wilful and corrupt perjury in any matter depending in that Court, that Court may immediately commit the offender to custody, and transmit him to the Zillah Court nearest to the Presidency, in order to his being brought to trial before the Court of Circuit of the Division in which such Zillah Court may be situated, and such person shall be dealt with in the same manner, as if the perjury had been committed within the limits of the local jurisdiction of such Court of Circuit.

W. H. MACNAGHTEN,
Secy. to the Govt. of India.

GENERAL DEPARTMENT.

The Right Honorable the Governor in Council is pleased to establish it as a general rule that, all temporary establishments, the duration of which is not limited by government shall, if not previously discontinued, cease, on the expiration of six months from the date of their sanction shall be obtained, which is in like manner to be considered to have operation during six months only.

By order of the Right Honorable the Governor in Council,
C. NORRIS,
Chief Secy. to Govt.

Bombay Castle, 25th August, 1835.

GENERAL ORDERS

BY THE RIGHT HON'BLE THE GOVERNOR IN COUNCIL.

MILITARY DEPARTMENT.

Bombay Castle, 19th August, 1835.

No. 406 of 1835.—Lieutenant D. Davidson is temporarily appointed to receive charge of the commissariat department in the Poona division of the army, from captain Holland, assistant commissary general, who is about to proceed to the Cape of Good Hope, on sick certificate.

No. 407 of 1835.—Captain J. S. Leeson, of the horse artillery, is appointed to act in charge of the stud establishment, during the absence of major Jameson.

Bombay Castle, 20th August, 1835.

No. 408 of 1835.—The following temporary arrangement is confirmed:—

Ensign J. H. Browne, of the regiment of European infantry, to act as Hindoostanee interpreter to that regiment, during the absence of lieutenant H. Stiles, on duty at Bombay, from the 30th June last to the 2nd instant.

No. 409 of 1835.—Lieutenant G. T. Cooke, of the 18th regiment native infantry, is allowed a furlough to Europe, on sick certificate.

Bombay Castle, 20th August, 1835.

No. 410 of 1835.—Major F. M. Iredell, of the 10th regiment native infantry, is permitted to retire from the service on full pay, agreeably with the regulation, from the 15th instant, and the following promotions are made:—

Captain H. C. Holland to be major, lieutenant C. Hunter to be captain, and ensign K. Jopp to be lieutenant, in succession to Iredell retired,—*Date of rank*, 15th August 1835.

Bombay Castle, 22nd August. 1835.

No. 411 of 1835.—The Right Honorable the Governor in Council has been pleased to pass the following rules, regarding the appropriation of unoccupied government ground within the limits of military cantonments.

1. All applications for unoccupied government ground, for the purpose of being enclosed, built upon, or appropriated in any way, whatsoever, within the limits of military cantonments, are, in the first instance, to be made to the commanding officer of the station, in which such ground is situated
2. The commanding officer of the station is held responsible, that no such ground is occupied, to the inconvenience of the service, or the public, or to the injury of the appearance of the camp or cantonment, and will satisfy himself on these points, and certify the same, on the face of each application, that he may forward
3. If no objection exists, the application will be forwarded to the general or other officer commanding the division.—But in all cases in which ground hitherto unappropriated is applied for, for the purpose of being enclosed, the applications, are to be headed as in the usual manner, to His Excellency [illegible] Chief, for the final approval of government.
4. All such applications are in future to be made according to the annexed form.
5. It is to be understood that, permission to occupy ground within the limits of a cantonment, confers no proprietary right on the occupant.

(Form)

To,
The Assistant Quarter Master General (or other Staff Officer)

SIR,

I request you will procure permission for me to occupy the ground herein described

Situation of the ground	Enclosed or open.	Extent.	Nature of the soil.	How to be laid out.	Bounded on the N. S. E. W.

Here enter the certificate of the commanding officer of the station.

Bombay Castle, 24th August, 1835.

No. 412 of 1835.—Superintending surgeon Hewitt having laid before government a medical certificate, that he is no longer able to continue in the active exercise of his duties in India, with a request to retire from the service from the 1st September, on the pension of his rank, agreeably with the regulations, the Right Hon'ble the Governor in Council is accordingly pleased to permit him to retire from the 1st September.

By Order of the Right Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

MARINE DEPARTMENT.

Bombay Castle, 18th August, 1835.

No. 45 of 1835.—Lieutenant F. P. Webb, is allowed a furlough to Europe, for the benefit of his health.

Bombay Castle, 20th August, 1835.

No. 46 of 1835.—The leave of absence granted to lieutenant Powell, in general order No. 37, dated the 16th ultimo, is extended to the 31st instant.

No. 47 of 1835.—The leave of absence granted to Mr. Purser Boyce, in general order No. 35, dated the 14th ultimo, is extended to the 27th instant.

Bombay Castle, 24th August, 1835.

No. 48 of 1835.—Mr. Purser Turner is permitted to proceed to sea, for the benefit of his health, with leave of absence for a period of nine months.

By order of the Right Hon'ble the Governor in Council,
E. M. WOOD, Lieut. Col.
Secy. to Govt.

CIVIL APPOINTMENTS, &c.

TERRITORIAL DEPARTMENT.
REVENUE.

Bombay Castle, 15th August, 1835.

Mr. P. Bacon's appointment, to act as sub-collector of Sholapoor, is cancelled, under Section XXIV of the absentee regulation.

Mr. R. D. Luard, to act as sub-collector of Sholapoor.

Bombay Castle, 17th August, 1835.

Mr. G. Coles, to be first assistant to the collector of Ratnageeree.

Mr. R. Spooner, to be 2nd assistant to the collector of Ratnageeree.

Mr. J. M. Davies, to be 2nd assistant to the collector of Tanna

Mr. C. J. Prendergast, to be 3rd Assistant to the collector of Ahmedabad

Bombay Castle, 22nd August, 1835.

Mr. E. H. Townsend, to act as secretary to government in the territorial and commercial departments, during Mr. Reid's absence, on sick certificate.

Mr. A. W. Ravenscroft, to act as sub-collector of Hoobly, during Mr. Townsend's absence, at the presidency.

By order of the Right Hon'ble the Governor in Council,
L. R. REID,
Secy. to Govt,

JUDICIAL DEPARTMENT.

Bombay Castle, 18th August, 1835.

The Right Honorable the Governor in Council has been pleased to appoint the superintenden of police, to be a member of the committee of management, of the house of correction.

Bombay Castle, 20th August, 1835.

Mr. H. H. Glass, acting judge and Session judge of Conkan, received charge of the adawlut of the Zilla of Conkan, from Mr. Chamier, on the 18th instant.

POLITICAL DEPARTMENT.

Bombay Castle, 24th August, 1835.

Captain S. Hennell, acting resident at Bushire, is permitted to visit the presidency, for the benefit of his health, delivering over charge of his duties to Mr. T. McKenzie, civil surgeon at that station.

Bombay Castle, 25th August, 1835.

Captain S. Hennell assistant to the resident in the Persian Gulf, is permitted to proceed to sea, for the benefit of his health, for a period of six months, from the 21st instant.

SEPARATE DEPARTMENT.

Bombay Castle, 21st August, 1835.

Mr. H. J. Blackiston, is permitted to proceed to Bombay, for the purpose of offering himself for examination before the October committee; and to remain absent from his station for a period of ten days, after the result of the examination is made known.

Bombay Castle, 24th August, 1835.

Mr. Hardinge R. Stracy, is permitted to proceed to the presidency, to pass an examination in the Hindoostanee language, and to remain absent from his station for a period of seven days, after the result of the examination is made known.

By Order of the Right Hon'ble
C. NORRIS,
Chief Secy. to Govt.

UNCLAIMED LETTERS.

Post Letters.

1 Frederick Burgoyne esq. horse artillery.. Madras.
1 Lieut. N. S. Hawkins, 8th regiment.... Bombay.
1 R. McKenzie esq. Sanatarium..... ditto.
1 Ben. Rowland esq. Ship Lowjee Family.... ditto.
1 Monsieur W. Rock..... ditto.
1 Captain Taylor, 26th regiment N. I.... ditto.
1 Mrs. Robinson, care of Mr. J. Reeves, in the Mint..... ditto.
1 Lieut. Cartwright, 23rd regiment N. I..... ditto.
1 Captain D. Cunningham, 2nd regt. N. I.... ditto.
1 Doctor Barrington..... ditto.
1 Lieut. R. H. Symes, 29th Madras N. I.... ditto.
1 Lieut. Ottley, 2nd cavalry..... ditto.
1 Ao Himo. Sr. Dove Zomal, Ramo Baxiramo. ditto.
1 Framjee Cursedjee, near the Green Railings. ditto.
1 Nowrojee Hormasjee esq..... ditto.
1 Marcar Sahu..... ditto.
1 Carnatic letter..... ditto.
1 Annundrow Wittle, Jamboolwady..... ditto.
1 Mahomed Soolamon..... ditto.
1 Narraynah Malabary, servt. to lieu. Vathan, H. M. 40th regt..... ditto.
1 Simao de Souza..... ditto.
1 Mr. Morris Baker, Girgon..... ditto.
1 Sudasew Kessow, Jossey..... ditto.
1 Peerkhan, servant to Captain Holland, 10th regiment..... ditto.
1 Eduljee Maukejee..... ditto.
1 Eduljee Cursetjee esq..... ditto.
1 Byramjee Nowrojee..... ditto.
1 Heiawmund Kayvulram..... ditto.

F. BOURCHIER,
Post Mr. Genl.

Bombay, 26th August, 1835.

CORRESPONDENCE.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—Your Correspondent, "a FIRM ROAD" of last Saturday's Gazette, deserves credit in bringing to the notice, the bad state of the Roads, and you, my dear Editor, a censure, in not doing so before, in your Editorial capacity. His remark seems productive of some good, for I see people are now, apparently, busy in removing most of the sharp pointed—arrow headed, loose stones,—from the Esplanade road, and substituting something like gravel, and thus trying to lighten the complaints of those who suffered, and think of suffering still, from the state in which are kept for so long a time, the public roads of this place, denominated by some of your correspondents "The New Jerusalem."

Thus much for the state of the roads, now let me proceed to the immediate object of this letter and that is to put a question, which I shall thank you, or any of your readers to answer. I have been told, (tho' I will not vouch for its veracity) that a considerable reduction, some twelve or fifteen thousands of rupees, was effected on granting the present contract, to the contractor for the repair of the roads: if true, as the Wheel Tax is levied for the purpose of appropriating the expense for keeping the roads in proper repair, (tho' in a pretty state they are kept.)* Whether, may I beg to ask, the wheel tax may not be reduced in proportion to the saving effected? and how can this be done when the whole

laxes farmed to a man for a sum considerably more than the contract for road repairs is given to another.

I am, your's truly,
NO WHEEL TO PAY TAX.

BOMBAY, 25*th August*, 1835.

TO THE EDITOR OF THE BOMBAY GAZETTE.

Sir,—A European General Court Martial of the most interesting description is on the eve of assembling in this Division; two Officers who are junior to the Prisoner to be tried, and who belong to the same Regiment as he does, have been named as members of the Court. Will any of your gallant and learned friends be good enough to inform me,

1st. Whether it be legal that parties, who (at least as far as appearance goes) have a direct interest at stake, should be placed on this Court?

2dly. If the legality of this matter be unquestionable, is the delicacy of placing the parties alluded to, in this unpleasant relation to each other, equally apparent, when other officers can be obtained to perform the duty?

Your's obediently,
JUSTUS.

Guzerat.

TO THE EDITOR OF THE BOMBAY GAZETTE.

MY DEAR SIR,—It is very generally supposed that Military law is not embarrassed by those highly useful labyrinthine perplexities, and quicksand quibbles, which (whether truly or not) are said to entangle and engulph those whose happiness it is to be under the protection of the Civil law. But it will appear from what I am going to relate, that if military law be indeed so definite and plain, as its admirers would have us to think it; yet the perversity of its administrators has the happy effect of giving it the same happy uncertainty which is alleged to be the greatest blemish of the civil code. It will appear even in the simplest questions of military jurisprudence, that wherever there is a will, there is also a way, to escape from the force of the plainest language.

The last clause of Article 42. under Section XXV page 48 of Hough on Courts martial, has furnished matter of controversy to some of the very strongest heads in India, pitted against each other, in the social circles of this Camp. I shall, with your permission quote the passage in question, and then, letting my letter flow into a dialogue between the parties, I shall exempt myself from the charge of imposing a mere ex parte statement upon the credulity of the public mind. Both parties shall speak in their own words, and neither one nor the other shall then have reason to complain of being condemned unheard.

The following is the passage of Hough, above referred to ——"It is usual to appoint the President and some of the members (field officers) in G. O.; the rest are directed to be furnished in certain proportions by the corps at and near the station where the party is to be tried, as may be most consistent with the convenience of the public service. The officers furnished by corps are taken by a roster; but the commanding officer may, in particular cases, make a selection if he finds it expedient to do so."

Dialogue.

A. B. My opinion is that the foregoing article allows a General Commanding a Division to nominate or select the members of a General Court Martial.

C. D. Where do you find such a person as a General Commanding a Division even mentioned in that passage.

A. B. I consider the letters "G. O." to authorize [illegible] Court martial.

C. D. The letters "G. O." mean *General* Orders; now we never say that a General of a Division issues General Orders: We say that he issues Division Orders. But I wish you to observe that (if this article be valid) even a Commander in Chief is only authorized by it to appoint the "*Field Officers.*"

A. B. Read the latter clause, and you will see by it that the *Commanding Officer* is warranted in making a selection.

C. D. And, to whom do you suppose the words "*the Commanding Officer*" to apply?

A. B. Why, of course, to the Commander in Chief, or to the General Commanding the Division.

C. D. This is really too bad, Mr. A. B. I ask you sir, to tell me, when did you ever, in all the course of your service, hear even the veriest *Griffin* speak of a commander in chief under the title of "the Commanding Officer"——And when did you ever hear of a General Officer Commanding a Division being called "the Commanding Officer?" Who would understand you, if you called either of those Officers by the title of "*the Commanding Officer*?" No, Sir, he is usually called "the General Officer Commanding the Division" and the like. But you seem to overlook the connexion and context of the passage; our author has been speaking of the Officers furnished *by corps* (as *Regiments* in old Indian phraseology were called) and proceeds to say that they are "*taken* by a roster; but the Commanding Officer (of a Regiment) may, *in particular cases* (as for instance in the case of junior officers, who have not been the proper time in the service to entitle them to sit on General Courts martial) make a selection, if he finds it expedient to do so."

A. B. Well, I never admired lawyers in uniform!

C. D. It may serve the turn of such men as you are, Mr. A. B. to sneer at officers whose sense of what is due to themselves and others induces them to make themselves acquainted with the laws which have been framed by their sovereign and his advisers for the good government of the Army, but the clearest principles of reason and common sease (to say nothing of conscience) dictate the course which you sneer at.

If you think the question at issue a mere quibble of the law, I am very sorry for you; because in Civil parlances the thing you plead for would be called P——a——c——k——i——n——g——a——j——u——r——y.

Your's faithfully,
LINDLEY MURRAY.

LETTER XVII.

ON CAPITAL AND ITS DIFFUSION IN INDIA.

TO THE EDITOR OF THE BOMBAY GAZETTE.

The greatest misfortune of a country is an indigent Tenantry. Whatever be the nature of the soil, or even the skill and industry of the occupier, the want of a sufficient capital confines every plan, as well as cripples and weakens every operation of husbandry.' HUME'S ESSAYS.

SIR,—Having said as much as is necessary upon the second mode of using capital, I proceed to the third; namely, Commerce. There are two descriptions of commerce, which vary so much in their nature, and in their effects upon a country, that they can hardly be considered similar in any thing but in name: it is requisite, therefore, that our attention should be separately bestowed upon *internal* trade, and *external*. I will first speak of the former.

Internal trade is one of the most modest and unassuming, but at the same time, one of the most valuable handmaids the state possesses. She does not indeed pretend to introduce new wealth into a country, she is content with what already exists and finds therein a sufficiently ample field for her exertions. She adds not nominally to the aggregate riches of the community; but, if causing a proper distribution of those riches,—if extracting from them all the good they are capable of yielding,—if affording to the poor man the means of becoming wealthy, and to the wealthy man the means of deriving pleasure and profit from his gold, if acting as the moderator of nature's inequalities, which often lavishes too prodigally on some provinces the necessaries of life, while to others she will grant only unsubstantial luxuries; if all these qualities can endear her to our affections and entitle her to our respect, then is she indeed worthy of all the homage we can offer to her.

Internal trade is to a state what the circulation of the blood is to the body; its business is rather to avail itself of the virtues of foreign substances than to produce any thing original of its own: but, if alone it will not give support, it will make the support received from external sources beneficial instead of injurious; and adding to health and vigour, prevent those foul corruptions on the natural body, which represent the deformities engendered on the body politic by the stagnation of trade, the effect of which is that fettered and unnatural distribution of wealth which has, in too many countries, divided the population into two unapproximating classes, the one of which flies to debauchery for want of occupation, and the other is doomed to pine in perpetual and unmitigated servitude.

Trade, on the contrary, keeps every thing in wholesome circulation, the merchant of to day becomes a noble tomorrow, and the noble, who disdains to attend to his pecuniary interests, leaves obscurity to his children as their inheritance. Money is not allowed to be idle; every penny is employed. Those of unexceptionable character who wish to engage in business can procure capital or credit to commence with; and those who have made fortunes by their exertions still derive an income by entrusting their cash to the superintendency of another. Idleness is rooted up. Cadets of even the best families must enter some profession; there is no congregation round the hearth of hereditary idlers; one may indeed be privileged, but the rest will have to exert themselves, if not to provide for their own support, at least to secure portions for their offspring. Contempt pursues the imbecile fatteners on another's bounty. Pride and honour point to independence; and to gain it, thousands of well educated men engage in the most arduous employments and seek the most inhospitable climes, there to emplant those principles of liberty and industry which distinguish their native land, and thus, while conferring incalculable benefits on foreign countries, add not a little to the splendour and glory of their own.

But there are two principal fruits of internal trade, which are alone sufficient to make us consider this branch of commerce of first rate importance. The first is the encouragement it gives to manufactures for home consumption, and indeed for foreign also. This not only prevents too many persons from being taken away from more profitable occupations, in order to raise subsistence for their families by agriculture, but also, gives the greatest possible encouragement to the latter by making the number of consumers far exceed that of producers, and thus, raising the price of corn to a point high enough handsomely to remunerate the grower.

Nothing can be more destructive of all chance of prosperity in a state than the conjunction generally of several different trades in the hands of one person. A proper division of labour is always a proof of civilization and wealth; and, it is only in barbarous countries, and poor ones, that we find a man at one season of the year employing himself in the field, while at another he is occupied in manufacturing his clothing. General and mutual poverty among the working classes is the only cause of this; the corn grower, from his inability to pay the weaver, is obliged himself to make what he requires, and the weaver, from his inability to pay the corn grower, is also obliged to turn agriculturist. To prevent this mischievous union of employments, and to enable each man to work only in the business which may, from his bodily constitution or peculiar skill, prove most profitable to him, it is necessary that labour of every useful description should be able to command a remunerating price. The price of labour varies in every state, and indeed is the principal criterion by which to judge of the wealth of a nation. Where it is low, nothing will be brought to perfection, because few can have the means of purchasing, but where it is high, industry may be carried to the utmost extreme, nothing is thrown away; moments, which would otherwise be spent in idleness, are profitably employed, and even the most fanciful tastes of the rich afford an honest and comfortable livelihood to the poor, who exert their industry and invention to gratify them.

The price procurable in exchange for labour is the mainspring, the moving principle of industry, which is certainly the only parent of wealth. Capital enables us to push industry to the utmost, and commerce ensures a continuance of our exertions, by taking care that our labours shall not be thrown away. To be useful to mankind, they must go hand in hand; capital is useless without trade; and trade cannot be conducted without capital. Both also equally require liberty, and the freedom granted to them can hardly be too great, as they must always be the greatest sufferers by civil disturbances, and consequently are most interested in the preservation of order.

The second great fruit of internal trade is its effect in improving internal communications. Most of the roads, as well as the canals and bridges which adorn Great Britain owe their existence to trade. They have been constructed on true commercial principles; namely, because their profits exceeded the outlay they occasioned; and in most parts, upon these principles have they been maintained. They are indeed most frequently true indices of the state of a country; where trade flourishes, they are preserved, but where it has fallen to decay, they likewise become ruined, deserted, and forgotten. Roads constructed for pleasure often last no longer than the caprice which dictated their formation; commercial communications are only destroyed with that commerce, to which they are indebted for their origin.

It is evident, then, that money employed in internal trade is employed very profitably, to the estate in general, and to every individual in particular. By it the capitalist derives advantage from his capital, the industrious man procures remuneration for his industry; for every kind of goods there is a market; not only bodily labour, but also the inventions of genius are prized; the agriculturist finds a purchaser in the artisan, and the artisan is paid by the agriculturist. Every one being enabled to follow the avocation most suitable to him engages in his business with ardour; and every one being certain of receiving a handsome remuneration for his trouble, men no longer perform their daily routine of duties with that languor and indifference, which characterize those who never have a hope of realizing any thing beyond a bare subsistence, and who never aspire to rise above their actual condition because they have melancholy evidence that the aspiration would be vain. When necessaries are plentiful, superfluities are indulged in; new wants follow the gratification of present ones; a taste for luxuries is imbibed; luxuries in time become necessaries, and so eventually springs up that constant struggle for more, which keeps the mind of man in activity, sharpens all his best talent to the utmost, and is productive of that noble and virtuous emulation, which makes each strive to continue advancing in some honourable path, and thus add his own to the long list of those, whom the public voice declares to have deserved well of their country.

I am, sir, your most obedient servant,
FOUNDLING.

The Courier.

The reliefs sanctioned by Government for the present year are as follows:—

11th N. I.....to Cutch.
12th ,, ...,, Rajkote.
14th ,, ...,, Ahmedabad.
15th ,, ...,, Bombay.
20th ,, ...,, Baroda.
22nd ,, ...,, Belgaum.

The movements of the King's Regiments being subject to the Supreme Government cannot yet be stated with certainty.—*Courier, 25th August.*

The Durpun.

We publish below a Register of the Rain, which has fallen here during the last two weeks. The results have been given after the careful watching of a guage kept in the Fort, so that they may be confidently relied on. The result of observation made at Colaba at the same time, gives a total of 16,73 making a difference of 9. 88 in two weeks, which, is indeed extraordinary. The Colaba observation, however, were not so accurate as the others.

			Fort
Thurday	13	6 A. M.	0,6
	14	.....	0,8
	15	.....	0,0
	16	.....	1,84
	17	.....	4,83
	18	.....	1,83
	19	.....	2,15
		Total..	10,79
	20	.....	1,78
	21	.....	0,24
	22	.....	0,00
	23	.....	0,11
	24	.....	1,15
	25	.....	4,15
	6	.....	5,39
		Total..	12,82
Total for two weeks.....			23,61

We are glad to perceive that the subject of undue influence employed in public offices in the promotion of native servants, has been mooted by a correspondent of the Gazette. Of the particular instance brought to the notice of the public in that Paper, we have no knowledge; but we know that the little patronage, at least the power of recommendation, which rests at present with the native heads in public offices is too often abused. The feeling of caste, and relationship are allowed to have a predominating influence in the selections to fill up vacancies, and it is but rare that justice is done to an inferior if he happens to be of another caste, and to possess no interest with the head of the Department.

The highest situations to which a native can aspire, afford no greater emoluments than 250 or 300 rupees a month; and if his claims of long standing and diligence are to be trampled upon to serve a favourite, what remains for the poor clerk who toils from morn to eve?

A practice like the one now brought forward loudly calls for the establishment of regular grades among the native writers and others. We hope the Government will see the necessity of enacting some Regulation on the subject. Situations in our opinion, should be disposed of according to seniority, and every case in which the next junior on the list shall appear unfit for promotion from want of abilities and other causes, should be reported to Government. Such a rule, if once passed and put in practice, will put an end to all abuse.—*Bombay, 28th August.*

BATTLE OF WATERLOO.

(*Continued.*)

The end of the sanguinary drama was now approaching. The result was not doubtful, and never had been so; and though the number of victims destined to fall, before a valiant host could be driven from the field, was still uncertain, it was perfectly evident, that the catastrophe would correspond to the long, fierce, and terrible nature of the combat itself. The French cavalry had again been driven from the position. The battle was once more reduced to the skirmishing in front of La Haye Saiate and round Hougoumont, and to a cannonade, which, owing to the many guns dismounted on both sides, was already much diminished. During this comparative lull, Clinton's division moved to its left, and closed in on the division of Guards; Mitchell's brigade followed the movement. The Brunswick troops were sent to support the 3 d division. General Chasse's Dutch division also closed to their *left*, and some of his regiments came into the front line. And high time it was to concentrate all the forces towards the centre, every nerve was now to be strained for the defence of a point over which the last and fiercest storm of battle was about to burst.

The Prussians were forming up in great numbers; the thunder of their artillery was constantly augmenting. The British remained unshaken in their position, and day was drawing to a close. The situation of the French army was desperate. The time for half-measures was past. A last effort, made with all that remained of force and energy, offered the only chance of success, if chance there was; and the last blow now to be struck was not to be struck for victory and for empire alone, but for safety also. The entire of the Old Guard, amounting, by all French accounts, to 8,000 effective men, had remained in reserve during the whole day. These veterans, who had for years been their country's pride, and almost the terror of continental Europe, could truly say that they had never fled from a field of battle. Amidst the disasters of the French army, their fame had remained untarnished; and they were now to be tried against men who, like themselves, acknowledged no victors. They were called upon, to support the sinking cause of a long-cherished leader. The blot, which a hundred battles gained by the British, had inflicted on the military escutchon of France, was to be effaced, the blood of the thousands, who had fallen by British arms, was to be avenged: the unconquered were to meet the unconquered; and the world was to learn from the result who were its first and foremost soldiers.

Towards seven o'clock, the movements along the French position indicated, that the last and decisive attack which the situation of the battle now rendered inevitable, was about to be directed against the British centre. As General Ziethen's troops were already in full communication with the British, the two brigades of cavalry, under Vivian and Vandeleur, which had very judiciously been stationed on the extreme left of the army, became disposable, and were closed in towards the threatened point. The first of these brigades, consisting of three fine unbroken regiments, advanced along the top of the ridge; the second, which had been partially engaged during the day, followed in the hollow to the right, where the rest of the cavalry were assembled. The British infantry were ordered to form four deep—a sacrifice of half their strength for no object whatever.

On the French side, Napoleon himself was forming the Old and Young Guard into columns of attack. Each column was composed of three battalions,—one battalion in line, supported on each flank by a battalion in close column. Two of these columns led on nearly equal front,—a third was in the rear: and the usual folly of embarrassing such bodies by placing guns in the intervals, was, of course, followed on this occasion also. Count Reille was ordered to form the remains of his corps into columns, and to advance to the left of the Guards: on the right, count d'Erlon was to support the attack by similar masses, that were to issue from behind La Haye Saiate. Six compact bodies were seen advancing against that part of the British line posted between Hougoumont and the Charleroi road. As the previous cavalry attacks had been unaided by infantry, so was this attack unaided by cavalry. What seemed the remnant of the cavalry force was posted, with some artillery, between three or four squares of infantry that remained in reserve, along the brow of the French position. The total want of judgment, displayed in the arrangement of this attack, is almost incredible. So completely was the flank of the Guard destitute of support and protection, that it was turned by the entire of Sir Hussey Vivian's brigade of cavalry, and left perfectly open to the attack of Adams's brigade of infantry. Great rhetoricians of the age of intellect, what think ye of the mighty genius of your idol?

The renewed roar of cannon announced the approach of the storm. Loud and long were the acclamations of "*vive l'Empereur*," that, greeted Napoleon, as he led the Guard to the brow of the hill near La Belle Alliance, "*Voila le chemin de Bruxelle*" said he in reply to these cheers, as he pointed to the British position. It was the "*Valete*" of Claudius in answer to the "*Morituri te Salutant*" of the doomed gladiators. But no evil boadings checked the ardour of soldiers who thought themselves advancing to certain victory; for Napoleon had caused his aide-de-camp, Labedoyer, to make them believe that the fire of Ziethen's guns proceeded from the artillery of Grouchy who had fallen upon the rear of the Prussians: a little expedient well worthy of little mind. The first columns that advanced pushed through the swarms of tirailleurs, that were pressing on in [illegible] and brigades of foreign troops on the left of the 3 d division engaged the gallant remains of Halket's brigade, that during the entire day, had maintained the most trying point of the whole position. A close and continued roll of musketry here commenced, and extended rapidly towards the British right, as the French Guards prolonged the attack of Count d'Erlon's corps. These veterans, advancing under a murderous fire of round and grape, came full upon the front of the British Guards: a shower of musket balls mowed down the leading ranks, and the Imperial Grenadiers halted to return the galling fire: their first shot tolled their own doom: for a column, halted to engage in a fire of musketry may be pretty safely considered as a column defeated. The 52d and 71st Regiments, together with some companies of the 95 th Rifles, who had suffered little during the day, were in a hollow on the right of the Guards, just where the position took a bend to the front, so that they had only to bring their right shoulders forward, in order to come directly on the flank of the French column, that was engaged with General Maitland's brigade of English Guards. The movement was executed with the spirit and promptness, that well became the high character of the troops; and the Old Guard suddenly found themselves placed between two fires. A brief, close, and desperate conflict ensued. Assailed in front and flank the enemy's masses were rent asunder. Mere men of earthly mould could not withstand the deadly hail of shot here poured upon these gallant Grenadiers: they wavered and fell back. Loud, from the light division soldiers, rose the old Peninsula shout of victory, as following up their success, they rushed upon the yielding enemy, who gave way in utter confusion. The well known cheer, coming from those who were wont to lead, resounded along the British line: it was succeeded by an order for the troops to advance. All sprung forward with renewed vigour, and the enemy was instantly driven in total and helpless disorder, from every part of the field.

At the moment, when the light brigade was advancing against the leading columns of the Old Guard. Sir Hussey Vivian, leaving these troops to his left was descending into the plain, with his three unbroken regiments of cavalry. As soon as he got beyond the smoke, that completely obscured the front of the position, he was assailed by a party of the enemy's cavalry. Having defeated these, he formed up the 10th and 18th Hussars and with great judgement, instantly proceeded to attack the Cuirassiers posted between the supporting squares of the French Guard, it was taking the sting out of the enemy's force—giving the Allied infantry free scope to act,—and leaving that of the enemy to be afterwards dealt with at pleasure. The charge of the Hussars was as boldly made, as judiciously planned: the Cuirassiers were completely routed, and the infantry allowed to follow up their success in perfect security.

Splendid—melancholy—yet, almost sublime, was the scene that presented itself to the British Army, as they emerged from the smoke, which had so long rendered every thing but the flashes of hostile fires perfectly invisible. The sun's last rays fell upon a vast and never-equalled mass of fugitives, trampling in their flight, the appalling harvest which the iron

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hand of Death, had gathered in during the fray. On the right, the British cavalry were seen driving the rout along,—and on the left, as far as the eye could reach, hill and plain were covered with Prussian troops,—thousands of whom had only arrived in time to witness the overthrow of an army, which buried in its ruin the mighty empire it's own bravery had formerly raised.

Upwards of 40,000 men, of the contending parties, had fallen in the strife. The French saved from the wreck of Waterloo nothing but the honour due to personal bravery, and the credit of having manfully maintained the cause, which they had embraced. Every thing else was lost: the moral, as well as the physical force of the army, was gone. Every particle of *material* brought into the field was captured, and all claim to military supremacy shivered to atoms. Their Generals had been defeated by the Allied Commanders,—their soldiers had been beaten by the Allied troops,—and their army was, altogether more completely routed, than ever an army had before been routed with modern arms.

(*To be Continued.*)

DOMESTIC OCCURRENCES.

BIRTH.

On Thursday the 27th Inst., the Lady of John Skinner, Esq., of a Daughter.

DEATH.

On Colaba the 9th Inst., Elizabeth Josephine, the much endeared wife of Mr. Anthony Wm. Clarke, of the Civil Auditor's Office, aged 29 years

MILITARY ARRIVALS AND DEPARTURE.

ARRIVALS.

Ensign L. Scott, 26th Regiment N. I., from Malegaum.

aptain Young, Nizam's Cavalry, from Auringabad.

DEPARTURE.

Assistant Surgeon W. R. Williams, B. E. Regiment, to Poonah.

SHIPPING REPORT.

ARRIVAL.

August 27th,—Barque Futtay Rahimon, Allybhoy Nacquedah, from Mocha, 5th Inst:

Passengers,—60 Natives.

DEPARTURES.—None.

SHIPS LOADING.

For London,—Euphrates, and Duke of Roxburgh.
Do. Bengal,—Hydroose, Sumdany, Francis Warden and Futtil Kurim.
Do. China,—Hamoody,
Do. Rangoon,—Brig Robert Spankie,
Do. Malay Coast,—Grab Dadloy.

VESSELS IN THE HARBOUR.

H. Co's. Ship Hastings, Receiving and Guard Vessel.

Do. Do. Floating Chapel—Aurora,
Do. Do. Steamer Hugh Lindsay,
Do. Do. Brig Thetis, and Surveying Tender Royal Tiger.
Do. Do. Ship Schooner Cyrene.
Do. Do. Sloop of War Elphinstone, and Clive.
[illegible], Duke of [illegible]
que Hector, and [illegible]
COUNTRY [illegible]
Hydroose [illegible] William
Cla[illegible]burgh, Elora, John Adam, Bar-
[illegible] Brig Welcome.
[illegible]SHIPS.—Earl of Clare, Francis Warden, [illegible]umdany, Mahamoody, George Cruttenden, [illegible]t, Nassarathshaw, Lowjee Family, Meccai, [illegible] Kurim, Nasser, Barque Shaw Byramgore, Dadloy, and Brig Robert Spankie.
American,—Elizabeth.
Arab.—H. H. the Imaum of Muscat's Ship Futtel Kurreem, and Line of Battle Ship Liverpool.

EXCHANGE.

	BUY.	SELL.
Six per cent Remittable Loan.....	130½	130
First five per cent Loan.		
No. 326, *a* 1st class,.....	108½	108½
320, *a* 1040, 2nd. class,.....	108½	108¼
1041 *a* 1049, 3rd class.....		
Second five per cent Loan	109½ *at*	109½
Third five per cent Loan.....	110¾	110½
Bills on Calcutta, 30 days.....	108¾	108¼
Bills on Madras 30 days.....	105¾	104½
Bills at 6 months' sight.....	2 |	2 | 1d.
Canton Bills.....		
Spanish dollars per 100.....	222	221
Sovereign's each.....	10½	10¼

HIGH WATER TABLE.

August 1835.	A. M.	P. M.
" 29th Saturday.....	2 59	3 ..
" 30th Sunday.....	3 25	3 51
" 31st Monday.....	4 23	4 56
Sept. 1st Tuesday.....	5 38	6 24

To Correspondents.

"STRAIGHT FORWARD" mentions a case, to which we must direct inquiry before we can insert his letter, as it requires the confirmation of a name, or other authority than an anonymous communication. This will not we trust detract from the credit he has given us for liberality &c, for our pages shall never be closed against authenticated appeals against wrongs.

THE GAZETTE.

SATURDAY, 29TH AUGUST, 1835.

THE only arrival from sea, since our last, is the ship *Futta Rahimon*, in charge of a Nacoda, from Mocha, 5th instant.

Passengers,—Sixty Native Pilgrims.

WE cannot refrain from recurring to the case of Mr. FENWICK against the Court of Petty Sessions which was tried before the Supreme Court yesterday, and in which judgment was given for the plaintiff. The regulation under which the officers of the Petty Sessions professed to act in interrupting the building on Mr. F's premises, appears by the judgment in this case, not to extend to buildings remote from the public thoroughfares; and it may now be hoped that the numberless private grievances of which it has been the fruitful parent, will cease, or at least be considerably diminished. The public are deeply indebted to that gentleman or having brought the question before the Supreme tribunal; and we trust the result will operate as a check on the over zealous and insolent subordinates of the Superintendent of Buildings. When persons of Mr. F's. character and station in society are exposed to such obtrusions of petty power, what may not be imagined to be the inconveniences and sacrifices enforced on the more submissive and less spirited natives? We know that the annoyances they experience are endless, and that though we sincerely acquit the present court of Petty Session from any voluntary act of oppression under this regulation, yet the accumulation of business, occasioned by their sittings being restricted to one day in the week, obliges them to despatch cases of this nature, in such a hasty and summary manner, as must and does, in numerous instances, involve great private inconvenience and hardship. One instance of this nature occurred within our own knowledge; it was that of a shed or projection which was stated to have been made to a house 50 years ago: it had been curtailed of its original proportions, a year previous, by the late Superintendent, and was now ordered to be removed; this we allude to as a case in which, by an order hastily given, the party's property was depreciated, and his protection from un and rain destroyed.

OUR Correspondent JUSTUS appears to have taken up a position which to us has ever looked very much like a moral solecism, if we may be allowed the term. Though aware that the subject has been repeatedly discussed, we prefer giving a place to his communication to delivering our own view of the matter, as the course we adopt may elicit remarks that might lead to a final settlement of the question. We would however take leave to submit, that the objection implied against juniors, in the peculiar circumstances mentioned, is no compliment to the honor and integrity of the army. We know that in every grade of life human passions are the same, but that which constitutes the *moral* graduation of mankind, is the degree of influence those passions are permitted to exercise over the [illegible] conduct of men; that in the rude and uneducated they are checked, only by the better affections of our common nature, the external restriction imposed by the laws, or by the spirit of religion: but in the man of education, they are placed not only under those but other powerful restraints. He has been taught to regard integrity as necessary to his existence; honour in every relation in life, as paramount to life itself; veracity, as dear to him as the air he breathes; their opposites, as "the poison of adders." However we must not indulge in digression but return to the subject. We conceive that the prejudice against juniors sitting on the trial of an officer, is a reflection on the honor of the profession, which it is not wise in any member to make; that if any one were found base enough to give a verdict of guilty, where proof was wanting, he should thenceforth be a *marked* man. But at the same time, it must be admitted that Officers whose duty it is to appoint members of Courts Martial, should, in cases like the one in question, pass over those gentlemen that stand below the accused. By this means he would not only prevent them from being placed in a situation which must be painful to honourable minds, but at the same time, preserve the weak and accessible from temptation, and all parties from suspicion, so abaorrent to men of honour.

OUR Bengal Contemporaries of the *Englishman and Hurkaru* notice a report in circulation at Calcutta, that our good Bishop had declined preaching a sermon in aid of the exertions making there for the relief of the sufferers at the Cape, by the incursions of the Caffres. The fact stated, and the reason assigned for it, are so *uncharitable*, that we hope to see an early explanation of the circumstance, as we must admit ourselves incredulous on the subject. By the bye, how happens it that at Bombay no disposition has been shewn to contribute to this object, or to others which have excited the sympathy of our Eastward countrymen? As from our own knowledge of the movements of society we are unable to imagine any probable cause for this instance of indifference to the misfortunes of our fellow creatures, in a community certainly behind none in the world, of equal extent, in works of charity, we would request the attention of those who are always conspicuous for their labours of love, to this oversight; and suggest that as it is not yet too late, some effort be made, to preserve their character for active and universal benevolence.

BY an extract from a private letter, dated Nagpore, 18th August, 1835. We learn that there had been no rain at that place till the preceding week, when it commenced and cheered the farmer to his labour.

THE *Morning Herald* mentions the arrival, on the 5th April, of Mr. WOLF at Falmouth, in the *Firefly*, Steamer, from Malta; and his lecturing on the following day at the ROYAL HOTEL. The account given of the lecture is ushered in by the following remarkable passage;" at noon, when assembled rank, beauty, and fashion, such a display that the annals of our town cannot reveal an occasion of so large a concourse of respectability assembling for such a purpose."

LORD ELLENBOROUGH's bill, introduced in the House of Lords and read a first time on the 20th March, to authorise the Directors of the East India Company to suspend the execution of that portion of the New Act which relates to the establishment of the Presidency of Agra, may naturally be presumed to have followed the destiny of its author, as we have not observed any further reference to the subject. The bill appeared in our last number. It is worthy of observation that the only facts advanced as grounds for this modification of the new charter are false. It is assumed that "no division of the territories, &c." had taken place under the act, and that "much difficulty had arisen in carrying its provisions into effect; the third reason assigned is the expediency of giving "ample time and opportunity for considering the same and for lessening the expense incident to such division, &c." Now we cannot help conceiving that the noble Lord, with all his accredited plausibility, had made out a very poor case indeed, on which to propose an *amendment* of one of those chapters of the Act, which admitted of being rendered perhaps the most beneficial of the whole enactment, in its influence on the interests of a large extent of British India. We shall not here discuss a question which has received the attention of Statesmen both here and at home, nor recapitulate the arguments, for and against this great political measure, which have resulted in the formation of a distinct Government in the North Western provinces: but we may observe that the necessity for the division of a territory extending over some 1200 or 1400 miles in length, not of barren deserts and savage wilds, like Asiatic Russia, but of the most fertile and populous portion of Hindoostan, ought to have been sufficiently apparent to have induced the ephemeral President of the Board of Controul to pause, ere he introduced into the legislature a proposition for its abolition. He might have deferred it, at least, till it had been seen how far the experiment was likely to be beneficial or detrimental, to the interests of the Governed or their Lords; or he should have shown sufficient grounds for the suspension of the law. His inability to advance, in excuse for his proceeding, any arguments that were not either false or futile, sufficiently prove, that no care for the public weal, no benevolent concern for the welfare of India, entered into his motives. Indeed it is hard to conceive what other object he could have held out to himself, than the embarrassment of the Indian Government, at home and abroad, and this he would have effected had his possession of power been permitted a few weeks longer. From the state of the Cabinet he well knew, that the abolition would not diminish his own patronage, for he must have been conscious that the pen with which he was legislating for India, was soon to drop from his exquisite hand: otherwise it may be supposed that, his Lordship, devout admirer as he is of the foul leprosy that has too long disfigured the political complexion of dear old England, would have been unwilling to curtail such an opportunity of extending his means of supporting his favourite system, of place, patronage, sinecure, and pension.

However, be his objects what they may, they have been defeated; and there is now no reason to apprehend that the establishment will be disturbed. Yet there remains much to be observed in relation to the position in which the new presidency is placed. The legislature itself has constituted it an anomaly; and is answerable for the difficulties encountered in its formation, the absurdities with which it is surrounded, and the questionable character it exhibits. Let us hope that, with all it disadvantages, a judicious selection of its Officers will secure to the people a better administration, in security of rights, and redress of wrongs.

Calcutta.

CLOSE QUARTERS (MOUTH AND FOOT) WITH A TIGER.

(*From the Oriental Sporting Magazine for August.*),

Through this country thickly overspread with trees, large and small, saul-saplings and brushwood of all kinds the ravine wound its way along towards the hills, shaded and kept cool here and there by the over-hanging bushes and thickets, and here and there skirted by convenient patches of reeds and *patiall*. We were not kept long in suspense. We had not separated even, as we agreed, to beat part on one side, part on the other, when B., not dreaming that the animal was in it, said, "I'll put him out of this,"—a small patch of reeds immediately before us. As he entered at one door, the tiger must have walked out at the other, which opened on the ravine, for we just caught a glimpse of him as he was sneaking up the opposite bank under covet of the bushes, into some high grass that chanced to be there. We were somewhat saken aback, I confess; we were not prepared to find him co immediately, or he must then have fallen, he was so slose to us. But in an instant the guns were to the shoulder,—and all fired, I believe. Whether he was then wounded, I can't say, but the shots we could see made him quicken his paces through the grass. We knew he would keep about the ravine; but the nature of the jungle rendered it very difficult navigation for the elephants; and we could not then beat in line and follow the tiger too. The ravine made a sharp turn to the left, about 200 yards from us. Being on the fastest elephant I hurried towards this point, thinking to cut him off, but he was there before me, and I could only get two long shots at him, as he was again entering the jungle on the opposite side; the second shot wounding him, I thought from his flinching, in one of the hind legs, I followed him; and B. and S. joining me a little way a-head, where the tree-jungle was less thick, we beat along the banks of the ravine for some distance in line—the elephants "smelling their rat," and occasionally signifying the route he had taken. Not a nook nor corner was left unturned in our search. Suddenly we heard him rushing back again up the ravine; it was seldom that we could see into it from its thick coatings of jungle on both sides; but S. and B. here caught a sight of him, and fired. The responding *putt* told that he was wounded, and he went away roaring tremendously. We turned, too, in pursuit, expecting *something* at our next interview with him. S. and I were on the left side, I the nearer to the ravine, B. with the two pad elephants on the right. I had beat up a likely corner of *patiall* grass, but there were no symptoms of his being there or near it; and in this part the ravine was more open and disclosed, a foot path having been made across it hard by. There was much heavier cover a-head of us, and I naturally supposed he had taken refuge there, and told the mahout to move on. He asked, if he should look there—pointing to a detached bit of the *patiall* about two yards square, which rested on and bent over the immediate brink of the ravine. I said he might look, but that there was not covering in it for a cat, and that the tiger had gone on a head. Not so, i'faith! there he was sure enough, couched on the verge of the ravine under the overhanging reeds; and no sooner did [illegible] on to the very brink, than the tiger with a loud roar was on his head at the same moment. How the elephant did not smell him so near, or whether smelling, he cared not to notice him, I cannot say; but at the instant, and from the force, perhaps, of the tiger's rush, part of the bank gave way, and down they both fell headlong into the ravine, which happened to be steeper there than elsewhere. So instantaneous was the whole business, that I had no time to sit down and hold on, but was hurled with them head foremost downwards, gust flying in all directions, and, but for the front part of the howdah, which resisted, but not effectually, my progress out, but broke from the impetus with which I was thrown against it, I should probably have been chucked, shuttle-cock-like, clean out of the *mêlé*; as it was, I alighted in the midst of it, falling head and chest against the opposite bank, and my feet dropping behind somewhere close to the tiger's head; who, as I afterwards learnt, had in the act of springing, received a crack from the mahout's driving-hook which knocked him off, and in the fall, he fell, under the elephant's knees. At the time, however, I knew not this. All I felt, or thought, was that the tiger would at that instant dash upon me, and that I had best get out of the scrape as quickly as I could. The moment I touched the bank, I moved to scramble up it, when instantly my left foot was seized, and I was pulled back. I thought I was about to be torn in pieces. I am told I called out my companions' names. If I did I have no recollection of it. All I remember is, obeying the immediate impulse, when I felt my foot grasped, of pulling it away. I dreamt not of turning round to learn our relative positions. From the way I lay, [illegible] on the face, I could not probably have turned; and it was lucky, perhaps, I did not attempt it. Seeing was not necessary to believing in this case, and I doubt, if it would not have considerably increased the horrors of feeling him. But I tugged most vehemently against him, and the third tug, I believe, released me. I scrambled up the right bank, expecting every instant to be laid hold of again. I dared not look back. I ran limping, as I could, to the first tree I saw. I thought not of the size. It was small and dry, and snapped with my attempt to climb it. I heard B. call. He was coming up about 20 yards off. Hurrying towards him, I saw him fire, and I involuntarily turned round to defend myself as I could against the tiger, thinking that he was rushing upon me, and that B. had fired to ward him off. As I turned, I saw him fall dead rolling backwards down the left bank, up which, (just then released from the elephant) he had sprang, to charge S. who had arrived to my assistance, and who, firing at the same moment as B., shot him through the head, as B. broke his back. I felt I was safe, and a strange sensation it is—the revulsion of feeling in one second from the extreme of dread—almost hopelessness—to one of perfect security—for perfect it was then from the immediate danger, which alone up to that moment had occupied my thoughts. Though it takes longer to read and to write, it was scarcely a minute, I suppose, between the tiger's first charge, and when I saw him fall—but what minute to me! I now looked to the wound, and for the first time perceived I was shoeless; and that the stocking was covered with blood. I had no idea of the nature or extent of the injury; but I confess, that at the moment, cut arteries and bleeding to death—torn sinews and rent muscles,—lock-jaws, mortifications, amputation of the foot or leg—rushed all wildly through my brain,—sensations, any thing but enviable. I managed, however, to climb into B.'s howdah, who forthwith thrust his brandy-bottle half down my throat—the first day by the bye any "nate" liquor had been brought out,—and it was not applied amiss. We pulled off the stocking and found the foot dreadfully lacerated from the instep to the toes, the bones and sinews being quite visible. So handkerchiefs and cravats being put in requisition, B. bandaged it up tightly—pouring the while the contents of aforesaid

bottle alternately over the wound and into my mouth, which possibly showed symptoms of faithness. Our sport was at an end of course, and the immediate object was to get to the tents as speedily as possible. We were about three *kos* from them; so S. was left to bring the tiger (who, I may remark *en passant*, took 22 men to lift on the pad-elephant)* and B. accompanied me home on the wounded one, to which, being the fastest, we removed from his. We took the small one with us, and fortunate it was we did so; on the way, the broken howdah, the ropes of which must have been loosened in the scuffle, suddenly turned with us, and we were nearly pitched out. We contrived to get on the little elephant, and I reached the tents without suffering much pain. The wound, too, had apparently ceased to bleed—proof that there was no artery cut, and I felt as it were a second time safe.

And here I may revert to the causes—'twere fitter perhaps to say the immediate instruments—of my escape. First, the shoe I had on which fortunately buckled, not tied. The thickness of its sole, a good quarter-inch of hardest leather, prevented his upper and lower fangs from meeting in their gripe, and biting the foot in two from the instep. Yet such was the force of the gripe, that one of his under fangs penetrated clean through this thick sole and just grazed my flesh—but there in e leather it stuck so firmly, that he could not withdraw it, in time to take a second 'grip,' as I was pulling my foot away; whilst his upper fangs, striking the buckle, cut the leather there, and, as it were, unbuckled the shoe for me, so enabling me to drag my foot out of his mouth leaving the shoe sticking in it on his under fang. But the shoe though it so much preserve the foot, would have been of little avail at the time but for the elephant, whose noble conduct was the real, and the only, saving of my life *then*. But for him, I must have been torn to pieces. The tiger, as I mentioned, in the fell under him, and there, though wounded as he was, he kept him never attempting to rise, till I had moved away.—the tiger's head had been reversed in their strugglings, and turned from me,—and S. had appeared at the top of the ravine to attract his notice. I mean not to infer that the elephant did this to save me. He probably rejoiced at the opportunity of a good set to, being always more willing to fight than to avoid a tigre, and was glad to have the beast under him. But by it alone was I saved. (Being a *muckna*, and therefore tuskless, he could not pin him, but he kneaded him well, and broke, it was found, some of his ribs. Had he tried to recover himself on the first fall,—I was thrown close to them, and must have been instantly at the tiger's mercy. Had he risen even when I had scrambled up the bank,—the tiger, his head then towards the right, would in all probability have rushed towards me, the first object of attack he would have seen. But the elephant loosened not his hold on him, till his head was to the left, where seeing S.,

"And rushing to the charge, *he* foremost fighting fell!'

I may add, moreover, that the circumstances which operated to save me, were the most unlikely to have occurred at the time. *Thin-soled* shoes are, I believe, usually worn in the howdah,—they enable the shooter to stand the steadier in it,—and on all former occasions I have worn them myself. Had I had one on then, my foot must inevitably have been bit in two. Elephants, too, if pulled down by a tiger, almost invariably recover themselves in the first instance, to make their charge—if they intend to charge—good. What must have been my fate, had mine so risen? And the tiger's head being, [illegible] on the best mode of escape, should I not have chosen to get out of his sight by scrambling to the *left*, the direction he subsequently took? and though he fell in taking it, my companions' shots would probably not have been so coolly taken, or so well aimed, had they as they would have in that case fired towards me, in firing at him. The whole affair, as I have said, exceeded not a minute, if so much; but upon how many "had nots"—the least likely occurrence too—did my life depend during that short particle of time! It will be granted that I had, indeed; as the natives all exclaimed—*bara buch gya—bara buch gya*—most narrowly escaped.

And, thanks, as I said, to the shoe, the injury I received was slight in comparison to what might have been expected even from the "gripe" the tiger gave me. Medical aid, however, was necessary, so I started in the evening, B. kindly accompanying me in his boat, for Berhampore, and by the men pulling night and day, we arrived there in 48 hours. From then until now, owing to the skill and kind attention of the Civil Surgeon there—as good a Sportman by-the-bye in every respect as he is a friend, all who know him will acknowledge:—the foot has been daily improving, though I am still a cripple. Time, however, I am assured, will restore it whole as the other, so that I shall ever have reason to be indeed most thankful "it was no worse."

* He measured 11 feet long, 4 feet 2 inches high, and 5 feet 4 inches round the fore-quarters, and was enormously fat and bulky all over.

Delhi.

Pending the sentence to be passed on Shumshoodeen and Kurreem Khan, it may not be uninteresting to our readers to be made acquainted, as briefly as possible, with the nature and extent of the evidence for the defence amounted, as stated in our last number to little or nothing,) for on that evidence, it is to be supposed, will be based the awful sentence of the law, to be pronounced by the Judges of the Sudder Nizamut Court: the Provincial Governor, or by the Governor-General in Council. With the mass of evidence before them, the public will be enabled to judge whether such sentence be in accordance with the evidence, or in conformity with temporizing principles.

Unnia, Meo, whose evidence we have already given to the public, has pointed out, in the fullest and clearest manner possible, the springs and secret workings of the murderous scheme in which the Nawab was principal—has shewn his own participation in some previous endeavours to effect the deed—has stated the secretly planned, last tragical act, which but too successfully effected the Nawab's diabolical purpose—has detailed how fully the assassin and accomplice (himself) eluded pursuit and escaped, for a time, detection—how they were afterwards visited by Khooshea, who, from Kurreem Khan's dress and the appearance of his horse, at once suspected him—how he (Unnia) fled to Ferozepoor, to announce the success of their joint endeavours to the Nawab, and the circumstances that occurred on the way—how he was received and rewarded by the Nawab—how he providentially overheard a plan laid to take his own life, to prevent the affair transpiring—how he fled home to his family and friends, and acquainted them with the accomplishment of the business, he had previously told them, the Nawab had charged him with—and its untoward result—viz. the endangerment of his own life—how he wished to surrender himself to the British Government, on condition of pardon—how he distrusted the measures which professed to effect this point for him, lest they should be a scheme of the Nawab's to get him, the more easily, in his power—how he at last quitted the country of the Nawab and went to Bareilly, where he resided until he learnt that Mr. Colvin had been deputed to try the Nawab, when he retraced his steps towards Delhi, intending to surrender himself.

Kureem Buksh of Subjeemundee declared that on two different days, previous to the day of the murder, he saw Kurreem Khan on the road leading from the Cashmere gate to Mr. Fraser's house.

Mulhar Chaprassee, returning from Rae Seena, when between the Lahore and Ajmere gates of the city, was nearly run over by a sowar galloping away, and he clearly discerned that two of the horses feet were white, and perceived also the sawar had an aikhaluk, and carried some gun under his arm.

Chand Khan, sowar of the late Mr. Fraser's deposed that 2 ghurrees of night had elapsed when Mr. Fraser left the house of the Kishen Ghur Rajah, on the evening of the murder, that on reaching the spot where the road leading from the Cashmere gate, and that from the Kablee gate meet, about 100 paces from the scene of the murder, he observed a sowar going on before them, and as Mr. Fraser was going at a quicker pace, they soon came up with the sowar, who suddenly turned on Mr. Fraser, and his horse rearing up Mr. Fraser fell, when the deponent's horse running away with him a short distance, he returned and pursued the murderer a little way on the road, but fearing for his life, he turned his horse to Doctor Ranken's house, and gave notice of the murder to Captain Pew.

Maun Singh, syce of the deceased, deposed, that he was with his master on the evening of his murder, and heard the report of the gun and saw his master fall, and he, as well as the sowar, recognized the murderer and horse and clothes, &c.

Jyshee, of Rajpoora deposed that on two different occasions he saw Kurreem Khan—once near the Furrash khana kirkee, and the next time, during one of the mornings of the races, when he was driving his hackery, and Kurreem Khan came riding up to him on the hill near Mr. Fraser's house, and asked him which way Mr. Fraser had gone, and he replied that he had gone the way to his house, and must have reached home.

Prem of Palum deposed that after the apprehension of Kurreem Khan and before Mogul Beg's house was searched, he was at Mogul Beg's and saw some arms sent out of his house in a covered *dolee* by night.

Nuval of Raeseena being with Mulhar as above stated, when Mulhar was nearly being run over; swears, that the horse shown in Court is the identical one he saw.

Noor Mohumud deposed that he taught Kurreem Khan the first chapter of the Goolistan, and had commenced the Insha Khaleefa, when he went away to Feerozepore: and on his return he was sitting one day with him and two letters lay before him, which he took up and read, and their contents were on the subject of dogs. &c. That on the day of the murder he saw him leave the house armed with a carbine to go to Mogul Beg's.

Vuzeer Alee deposed that having gone some days before the murder to Mogul Beg's he found Kurreem Khan there in close conversation, and was told by the people to go away as they were in consultation.

Muhoob Bukhsh and Ruheem Bukhsh deposed that they made the stock of the carbine for 14 annas paid to them by Unnia, and that they cut the superfluous part of the barrel. They recognized both Unnia and the carbine.

Toda and Bulla, *bheestees*, deposed that in order to draw out of the well a lota of Nanuk, the carpenter's which had just fallen into it, they threw down a line with books and both the lota and cardine came up which they carried to the chuprassees of the Customs, and they directed them to go to the Thanah, from whence they were sent to the Magistrate.

Nanuk the carpenter corroborated the above.

[illegible] Dubey, Balkissen, and Sudsook stated that on the day of the murder they saw Kurreem Khan in consultation with Mogul Beg, and after his apprehension they saw some property of Mogul Beg's being conveyed out of his house by night.

Chandbee and Peerbee (the wives of Unnia) and Moekanum, Shuhamut, the two Dulmors, Ruhmut, Peer Khan, Soodra and Kumroodeen (relations of Unnia) deposed that after the murder, and the determination of the Nawab to take Unnia's life, he went to them all, or met them separately, and stated the whole case as it occurred—while to his wives he revealed the affair before he left home.

Bukhee (another relative) deposed that before Unnia came on the murderous errand to Delhi, he came to him and desired to know if after the murder he should have to fly, whether he would hide him; he replied that the murder of so great a man could not be hid, and that he would not shelter him.

Manum Chuprassee and Mr. Munro deposed that they saw Kurreem Khan a week before the deed at, and about the premises of Mr. Fraser.

Roopia the syce of Kurreem Khan deposed that constantly before the deed, Kurreem Khan and Unnia used to go out together and he with them; and that the evening of the murder he (the syce) saddled the horse, but was not suffered to accompany them, and on Kurreem Khan's return he was aroused from his sleep—and desired to tie up the horse.

Khooshia and Ooda, informers, state that on learning from the proclamation the circumstances of Mr. Fraser's murder they went about the city and visited the houses of the Jageerdars, and among them the Billeemar house of the Ferozepoor Nawab, and on seeing the horse, and the cloth hanging, they observed to each other that they fully answered the description of those in the proclamation, and on going up they saw Kurreem Khan, and a Muwetee, who being called by name, and desired to fill a chilum they perceived his name was Unnia. They on this departed and declared to Brigadier Fast, (Commanding Delhi) their conviction that Kurreem Khan was the murderer: on which the Brigadier gave them a letter to Mr. Metcalfe; our Commissioner, and he sent them on with a letter from himself to the Magistrate, Mr. Simon Fraser, and this gentleman repaired immediately with the Goojurs to the house and apprehended Kurreem Khan; and at the same time obtained possession of some papers connected with the plans of the murderers couched in figurative language.

Mr. McPherson, Merchant, declared that early in February, Kurreem, Khan brought to him for sale a Phæton, and on the 24th of March 2 days after the murder he purchased 3 dogs of him and that there was no difficulty at any time in settling the price, nor on any point connected with the bargain.

Ousafulee, Durwan of the Billeemar house, deposed that on the evening of the day that the murder was committed, Kurreem Khan left the house on horseback, and returned again in the course of the evening.

Goomna and Seer Kisn deposed that they were directed to trace the footsteps of the Sowar's horse, which they did the same evening, and measuring the marks of the footsteps and the span between the paces they traced the horse to the Koublee gate, and from thence to outside the Lahore gate where, on account of the new made road, and softness of the soil, they lost the trace;—this deposition was taken on the morning following the murder, and on Unnia's giving his statement in Court it was fully corroborated.

Lootf Ulee states that the Nawab said to him; Kurreem Khan is apprehended, I do not know on what account: do you go and ascertain this point; and Hussen Ulee, the manager for the Nawab offered him 2,000 rupees, but he refused to take the money.

Himayut Ulee deposed that he was at Feerozepoor at the same time with Lootf Ulee; that the Nawab commissioned both of them to proceed to Delhi in order to effect the release of Kurreem Khan, and that as Lootf Ulee feared to bring the money the Nawab sent it by a hoondee to Moghul Beg, to bribe Native Officers and effect Kurreem Khan's release.

Ibrahim Beg deposed that being sent with a letter by Mirza Nousha to Moghul Beg about 4 days before the murder, the latter replied "I know nothing of you or Mirza Nousha—and do you tell Futtehoollah Beg Khan from me, that I know of whose protection he is boasting—but please God, his protector will in a few days be no more." Ibrahim Beg conveyed the message and reply as desired, and Futtehoolah Beg was sitting by.

Mirza Nousha corroborated the above,

Kuramut Ulee deposes that 2 days after the murder as he was proceeding to Ferozepoor he met a man of the Nawab's with an unsealed letter for Kureem Khan, and told the man he was apprehended, and on his reading the letter he found these words, "purchase 4 or 500 gun-locks and send them to me, and I will send you the price afterwards. It is understood that many orderlies attend Mr. Fraser, let me know if it is so or not."

Booddha declares that on three different days before the murder he saw Kurreem Khan, on two of which occasions be asked him, whither Mr. Fraser had gone?

Lieutenant MacGrath deposed that on Monday the 23rd March he left Goorgong and arrived the same night at Ferozepore, where he was stopped at the gate till his name was carried to the Nawab, and then he was allowed to go to him. The Nawab on seeing him, excused himself for not going out to meet him, urging that he thought it was Mr. McPherson the Merchant. About midnight he awoke and found a large party assembled in the hall, and engaged in deep conversation. Next day at breakfast several of the Nawab's friends and the Nawab made particular enquiries about the European gentlemen of Delhi, and only said of Mr. Fraser that it was strange every other functionary was removed after a time, but he was not.

Oomed Singh, confidential Moonshee of the Nawab deposed, that half of the letter, which was found in bits, was his writing, and the other half, on the dogs, in that of the Nawab.

Sawunt and Jugmal deposed that the Nawab first desired them to search for Unnia, and bring him to him, and take with them one or two hundred rupees to effect the purpose, and then ordered them, if they found him, to kill him and prevent the British getting hold of him.

Sulamoolah Khan and Biharee Lal deposed that on Sueed Beg going with the Magistrate's Purwana to Ferozepore to apprehend Unnia, and not finding him, but apprehending his brother, Ruhmut, who had learnt the circumstances of the murder from Unnia, the Nawab offered Sueed Beg 100 Rs through Usad Khan and Biharee Lal for Ruhmut's release, but Sueed Beg refused it.

Sueed Beg corroborated the above statement.

In the foregoing depositions we have the most indubitable proof that the Nawab did employ Kurreem Khan to assassinate Mr. Fraser, and engage Unnia to aid Kurreem Khan in the bloody deed: that this was known to several individuals before the perpetration of the murder: that both Kurreem Khan and Unnia resided in the Nawab's house and constantly went out together, in the direction of, and frequently loitered about Mr. Fraser's house: that Kurreem Khan on several occasions made enquiries as to the movements of the deceased: that finding Mr. Fraser went out and returned only in the *day time* he despaired of getting an opportunity *at night*, and therefore about this time wrote to the Nawab, informing him that there were many *orderlies* and *sowars* about Mr. Fraser, and wishing to know if it was his pleasure indeed should be done in the *day time* and *before them*: that he was interdicted doing it when many [illegible] secrecy was enjoined, and the Nawab wished to know on whose part the orderlies and sowars attended on Mr. Fraser, whether on his (Kurreem Khan's) part or that of any one else: that although the correspondence was couched in language as if regarding dogs, yet the ordinary state of things as to dogs, precludes such an interpretation, and certainly determines the meaning as applying to Mr. Fraser's murder: for no *dogs* were then, or are now, attended by *orderlies* and *sowars*—and with the Nawab's known partiality for dogs, Kurreem Khan in promising to make the purchase at all hazards, would never have designated them "*despicable*."—that the long sought for opportunity at length offered, and before a sowar and syce of the deceased, and the accomplice of the murderer, the deed was done; and while Unnia swears to his associate in crime, the other two eye witnesses depose to having seen the murderer a few minutes before proceeding leisurely ahead of their party, and the only stranger on the road, and they clearly distinguished his horse and clothes, and one of them when he recovered himself and horse from their momentary fright, pursued him a short way on the road, Unnia afterward disclosed he had taken: that on the same night the footsteps of the horse were traced to the Kabulee gate, and thence to a little beyond the Lahore gate, where they were lost, as appeared afterwards from Unnia's confession, by design, the murderer intending to direct suspicion to Hindoo Rao's encampment. We have further the most satisfactory proof that the Carbine with which the murder was committed was no longer in possession of Kurreem Khan. He told Unnia he had thrown it into a well: whence it was providentially drawn up by two Bheesties, whilst fishing for a lost *lota*. Unnia and the stock makers recognized the Carbine. Added to this we have proof of the Nawab's anxiety for the release, by stealth, of Kurreem Khan—and his wish to murder Unnia. We have proof too that Mogul Beg repeatedly told Kurreem Khan to deny the murder and adhere to one story.

Now with such a mass of evidence—with truth on the face of it—what can possibly stay the ends of justice? The assassin is *bona fide* the servant and mere tool, of Shumshoodeen, who as the principal—the instigator, by bribes and threats, of the bloody deed—should suffer the most prompt and signal punishment. Surely, no temporizing—no vanity of being thought *clement* in the eyes of the Natives—no consideration for the *rank* of the blood thirsty villain—or squeamishness on the part of Government—should for a moment frustrate the ends of justice. Let, we reiterate, the punishment be prompt and signal,—*Delhi Gazette, Aug. 12*

EUROPE.

CAPRICES OF JUSTICE.

A foreigner who observed the bad cases in which mercy is often exercised, would be utterly at a loss to conceive the character of offences that fall under the rigour of the law. Seeing the pitch to which indulgence is sometimes carried, he would ask where severity could possibly begin. We could give him no better information than that both the one and the other prevail by fits and starts, and when least to be expected. Indeed, no one can know the penalty of any highly criminal act till he has tried it in a practical way. A brilliant instance in point lately occurred on the Norfolk Circuit.

Wm. Taylor, a poacher, was capitally indicted for cutting and wounding John Whitmore, the gamekeeper of Sir John Osborn.

On the night of the 16th of January last, the two under keepers were watching in Oxley's wood, which is a celebrated cover for pheasants. About midnight they heard the report of a gun in that wood. They ran towards the spot and saw the two prisoners "squatting down" close to the place from whence the gun seemed to have been fired. Whitmore was the first to arrive, and *he no sooner came within reach of the prisoner Taylor than the latter struck him a terrific blow upon the forehead with a "plough paddle," a sharp kind of spade, made of iron, and having a long wooden handle, and which is used to clean a ploughshare.* This blow entirely deprived Whitmore of his senses, and *a second blow from the same hand laid him prostrate.* Taylor also *gave him several othe most dreadful blows, when he was down and insensible, with the formidable instrument* which has been mentioned. During this time the prisoner Penwright was engaged in assaulting the other keeper, Morris, who, however, defended himself with great spirit for sometime. At length Taylor, having inflicted sufficient injury upon Whitmore, called out to his companion "*Good blood!*" Upon this Penwright exclaimed "He'll do!" and Taylor then left his victim to go and assist Penwright. Seeing this, the keeper disengaged himself from Penwright, and ran away as fast as he could. In an hour and a half he returned with assistance to the wood, and found Whitmore leaning against a tree, about 50 yards from the place where the affray had happened. He was still insensible, and in a very deplorable condition, his face being, as one of the witnesses said, "covered with blood, just as if it had been a mask." They also found a puddle of blood on the place of the affray, and the iron portion of a plough paddle, with some spots of blood upon it. *The paddle was broken by the violence of one of the blows* given by Taylor. Penwright having heard it snap during the time. The wounded man was taken home, and a doctor sent for. His head having been shaved, it was discovered that *he had received five serious wounds on the forehead and sides of the head, and a very dangerous fracture on the back of the skull. A portion of the bone at the back of the head was gone, and a small quantity of the brain had escaped through the aperture.*

Wonderful to add, the poor fellow's life has been saved, and hopes are entertained of his complete recovery; but certainly his brutal assailant Taylor had done his worst to destroy [illegible] they had [illegible] verdict [illegible] ly proved; and the prisoners said [illegible] nothing to urge in their defence. A[illegible] of guilty was of course returned, and followed we copy from the report—

Before they were brought up for judgment the Rev. Mr. Barber, who is the rector of the parish in which the prisoners lived, stated that Taylor had maintained an excellent character during the last two years. He was indeed utterly astonished when he heard that he was suspected to have been guilty of an offence so atrocious. His character formerly had not been so good; but of late he had appeared to be quite an altered and reformed man, a steady and industrious labourer, and a constant attendant at church.

Mr. Lyne Stephens, the occupier of the property of Sir J. Osborn, begged to be allowed to recommend the prisoners to the merciful consideration of his lordship, in which the poor man who was wounded also joined.

Mr. Sydney Taylor observed, that if the jury had heard the testimony of Mr. Barber previously to delivering their verdict, they also might have been induced to recommend the prisoners to the merciful consideration of his lordship.

The jury replied that they certainly should have taken that course, and requested to be allowed to do it now.

The prisoners were then brought up for judgment, and after a lengthened and feeling address and exhortation from the learned judge upon the enormity of their offence, the leniency of their prosecutor, and the course which they ought to pursue in consequence, ordered the sentence of death to be recorded, with an intimation that their lives would be spared, but that they would be sent from this country for the remainder of their lives.

The moral of all this is, that provided a ruffian play the hypocrite, appear what he is not, and constantly attend church, he may make a hole in a man's skull, and knock out a portion of his brains, without putting his own neck into a halter. Such is the privilege of good character, or rather the bounty to hypocrisy. A person who had not been a constant attendant at church could not have knocked a man's head about with a plough paddle, till both the paddle and the skull were broken, without hanging for it. All folks who desire to take these freedoms with heads, without incurring the extreme penalty of the law, must be careful to keep up the appearances of a regular industrious life, and to be very exact in their church goings. Instead of benefit of clergy, there is now benefit of hypocrisy. A Dissenter, by the by, who had committed the offence of Taylor, would probably have been hung, as regular attendance at chapel or meeting has not the acceptation of regular attendance at church.

In cases of doubtful evidence, character should always have weight, but when an act of bold-

blooded barbarity is proved beyond a shadow of doubt, evidence as to good character only amounts to evidence of hypocrisy.

The punishment allotted in mitigation may be sufficient for the offence—it may be fitter than death; but then we contend that for all offences of the same class (as this was one of the worst of the class) the extreme punishment should be that which mercy in a most atrocious case has dictated. We are well known to be no advocates of the punishment of death; all that we contend is, that if it was too severe a sentence in the instance in question, it should be abrogated in all offences of the sort, for it is hard to conceive any case of the same class which would justify it more; and a nominal capital punishment we regard as a great mischief, as, in the hope of escaping the extreme penalty, the ill-disposed overlook the terrors (if there be any) of the probable secondary punishment.

After all, however, there are criminals even more fortunate than Taylor, for two or three months ago a monster, who for the gratification of some fiendish pleasure, had stabbed several females, was merely fined five pounds by a magistrate, and assured that he might deem himself "highly fortunate" (as, questionless, he had excellent reason to do) in escaping with so slight a punishment for so diabolical an outrage. This sort of indulgence passes all understanding, and mercy is not only too precious to be wasted, but moreover the mercy misbestowed on dangerous criminals is a cruelty to society.—*Examiner, April 5.*

IMPORTANT MEETING.

(From the Morning Chronicle, April 13.)

We call the attention of our readers to a report of a public meeting of the inhabitants of Edinburgh held on Thursday last, which we have transferred from *The Edinburgh Observer* to our columns. It was attended by nearly 1,500 persons, the Waterloo Room being as full as it could hold, and double the number were sent away. The following Resolutions were unanimously adopted:—

"1. That this meeting are deeply impressed with the justice and wisdom of the Resolution lately passed by the House of Commons for appropriating the surplus revenue of the Irish Church to the education of the people of Ireland; and as his Majesty's consent is understood to be necessary to the introduction of a legislative measure to that effect, that a humble Address be presented to his Majesty, praying him not only to give his gracious sanction to such proposition, but to call to his Councils carry the measure into effect.

"2. That this meeting believing that the late Resolution of the House of Commons will if fairly acted upon, tend to promote the interests of true religion in Ireland, and thereby to secure the peace and prosperity of that distracted country, and on the empire at large—Resolve, That a Petition be presented to the House of Commons, praying them to adopt measures, without delay, calculated to carry their Resolution into full effect."

The best spirit prevailed at the meeting, and the whole business was conducted by men of the most serious views with regard to religion. Mr. Robert Bell, who first entered the room, is Procurator for the Church of Scotland; Mr. Speirs is one of the most learned advocates at the Scotch Bar, and a most devout elder of the Established Church. Mr. Ivory is also a distinguished advocate and legal author. Petitions embodying the Resolutions, will be presented to the House of Lords by the Earl of Roseberry and to the House of Commons by Sir John Campbell. That to the House of Commons will, we believe, be presented this day. In a few hours it received above 10,000 signatures.

We learn from Mr. Ivory, who moved the first Resolution, that the Reformers of Edinburgh called this meeting order to give the lie to a base and clandestine attempt now making in that city, by hole-and-corner Addresses, to convey an impression that a re-action in public opinion has taken place. "When they seek in this way (says Mr. Ivory) to give as the impartial expression of the opinion of the public that which is only got up by themselves, and by deception, I say it is what all good citizens ought to resist; and it is on this that the proceedings of the meeting of this day have originated." We may observe that neither at Edinburgh nor any where else have any of the Addresses about which such a fuss has been made in the Tory papers, been voted at a public meeting. Had it not been for this unequivocal manifestation of indignant feeling at Edinburgh, we should have been told that the hole and-corner Address got up in that city was a test of the state of opinion there. The truth is that these Addresses are just as much a test of the feelings of the people whence they come as that from the meeting at Willis's rooms is of the opinions of the people of London. At many of the places, at Banbury for instance, it is well known that the supporters of the Tory Minister do not form a tithe of the electors, as was satisfactorily proved at the last poll. So well is this understood, that the reformers in England have not thought it worth their while to make any counter-demonstration to expose the imposture.

In no part of the British dominions is the religious feeling so strong as in Scotland, and it is precisely because the religious feelings is strong there, that so much indignation is expressed at the attempt to perpetuate the abuses of the Irish Church.

"In many instances (says Mr. Speirs) the Irish have been stimulated by oppression to acts of outrage and violence, which we cannot approve of; but will any man pretend to say, that they are not men of like passions with ourselves? and we well understand what those feelings are by what we feel on turning to the page which records religious struggles in which our forefathers fought and bled. Therefore, as it is our right, so we are bound to go to the Legislature of the country, and appeal to the harmony and peace of our own country as a proof of what would be the result in Ireland if the affairs of religion where settled among them as they were with us in the Revolution of 1688. With the example of Scotland before them, it is strange to me that this act of justice—of simple justice—has been so long delayed to Ireland. There might be reasons at the time of the Revolution why this boon was not granted to Ireland, because it was then torn by intestine commotions; but if the treaty of Union had been carried into effect by statesmen who regarded the rights of the many more than the interests of the few [cheers]—the act of Union would not have been passed without relieving the Catholics of Ireland from the burden of an Establishment which they cannot recognise."

"Can it be," said another speaker, Dr. MACLAGAN, "that by that forced appliances of an Establishment—by planting an empty church and a sinecure clergyman among the Catholics, and at their expense, that we are to promote true religion, [cheers]? I regard it as a solemn mockery. I view it in the light of the Popery of Protestantism without its power [great cheering]. In the present age we cannot look for miraculous gifts, but must, under the divine blessing, use human means; and if the Catholics will not come to our churches, we must open our schools; we must first secure their affections and enlighten their understandings, before we can presume to draw upon their purses. If we believe that the Protestant Church is the true Church, and if we believe in the omnipotence of truth, then we shall rejoice in the spread of knowledge, and in the diffusion of Christianity, without reference to the dogmas of any particular sect.

Another speaker asked.

"If it was necessary to keep up the useless, extravagant, and pampared Establishment—an establishment of Parsons, not devoting their services to the cause of religion, but a mere supplement to the half-pay list?"

The feeling of the really thinking people of England and Scotland on this subject is the same. They say—if your Church is in danger, on account of the removal of a gross abuse in the Church of Ireland, it ought to be in danger. All who have the cause of religion at heart, rejoice that the appropriation of that part of the revenue of the Irish Church, hitherto devoted to the support of sinecure Parsons, to the moral and religious education of the people, has been carried; and, if the Tories quit their holes and corners, they may lay their account with having to encounter such a meeting as that at Edinburgh.

"THE SEVEN TEMPTATIONS."

BY MARY HOWITT.

An observation was made a short time since in our presence, which drew from us, in our zeal for Maga, a warm protest against the sweeping accusation which involved her in common with the other periodicals of the day.

"How much it is to be regretted," was the remark, "that in this professing age of liberality and candour, there is no neutral ground for literature, no chartered spot fenced round by the humanities and courtesies of civilized society, where literary persons of all parties may meet on paper, in the same spirit of peace and good-will, and temporary oblivion of differences which in the course of the fiercest military warfare so often characterises the meeting of hostile parties, under the inviolability of truce.

"Even in chance encounters of men on service, nationally opposed to each other, it has frequently occurred, under favouring circumstances, that those, who but a short hour since were mingled in deadly conflict—who within as brief a period many be again grappling together in the struggle for life and death—have exchanged words and offices of kindly nature, befitting creatures of the same clay, whose enmities are forgotten as they sheathe the sabre, drawn only in their country's cause. Shame! shame! to this moral, this intellectual, this *Christian* age of ours, that while even the horrors of war are occasionally softened by these conventional charities, there is not one spot on the fields of literature inviolable from the spirit of party, and its ruthless influence.

"It suffices to know with whom an author is connected—his name, or that of his publisher, to form an unerring expectation of the notice his work will meet with—or whether it will receive any notice from the Quarterly or the Edinburgh—or Blackwood—or" — — — Here it was that our zeal for Maga's honour betrayed us into the discourteous interruption above-mentioned. Warmly we vindicated her from the general charge, adducing in her favour many exculpatory instances, and last, and most exultingly, her late generous tribute of admiration and praise to Elliot, author of Corn Law Rhymes, &c. &c. The fact was undeniable, but the vituperator of Maga hastily slurred it over, in his eagerness to bring forward one on his side the question, which for a moment, we confess, perplexed and silenced us.

"And why then," he asked, "has Mary Howitt's last publication, 'The Seven Temptations,' been passed over in contemptuous, or it may be, condemnatory silence? Mary Howitt, in time past an honoured and honouring contributor to the Magazine—Mary Howitt, the gentle, the unoffending, the womanly, the feeling, the pure-hearted, the *true* poetess! How has she deserved, censure or exclusion? Of what offence is she guilty, but of being the wife of one, whose head, inwardly labouring with Miltonic theories, and outwardly under the testimony of the hat,' relieved itself by an explosion that damaged—his own cause more than that which was the object of attack?"

"Nay but," we replied, "the publication allude to his yet recent, scarcely more than two months issued from the press—wait awhile, and we shall yet read in Maga such a notice of 'The Seven Temptations' as it deserves—perhaps from the same pen which did ample justice to the claims of Elliot." We have waited—we have watched—we have fretted and fidgetted in vain—and our tormentor has sneered and triumphed. But still we were fain to urge——"the award is but delayed, it will be decreed, never doubt it, in full measure, however late."

"Why not by yourself, for instance?" was the taunting rejoinder, "unless *you* are fearful of outlawry, should you venture to propose so daring an article."

"We take up the gauntlet—we accept the test—we dare the penalty!" broke forth from our lips, in the confidence of excited feeling, "we will do our best for Mary Howitt. She deserves an abler critic, but one who writes honestly in the strength of an honest purpose, and warmly from the heart's impulse, may not be wholly incompetent."

Thus it hath come to pass, gentle reader, that we appeal to thee this day in behalf of "The Seven Temptations," and our purpose will be more than half accomplished if we but induce thee to open the volume to read and judge for thyself, divesting thy mind, as far as in thee lies, of prejudice and preconceived opinion.

The plan of the work is not a novel one; nor, we must take leave to say, in the face of Mrs. Howitt's preparatory remarks, one which we should willingly have selected for illustration from the pen of a female.

Involving, of necessity, that unflinching use of the moral scalpel which lays bare the most hideous deformities of our fallen nature, we revolt from its most skilful appliance by a female hand, and much doubt, indeed from whatever quarter, or however managed, the wisdom of expediency of such exposures. But having thus conscientiously expressed our peculiar and perhaps fastidious opinion with regard to the frame work, we can add with equal sincerity that the fair architect has filled it up with admirable skill, and an ordinary power, and, whenever compatible with the subject, with a sweet and tender feeling peculiarly her own.

"Ashzib the Liar, a restless, ambitious spirit," having undertaken, in vaunting colloquy with two others wicked as himself, to prove "the supremacy of evil," by "ascending to the earth and winning over the greater number, if not the whole, of the human spirits he shall tempt," commences his task accordingly, and the volume opens with the temptation of "The Poor Scholar."

He is sick, poor, and dying in his room, at evening, unattended but by the lingering affection of a little boy, one of the class he has taught daily. The child reads aloud to his enfeebled master a text from the sixteenth chapter of the Gospel according to St John.

And here, before proceeding further, we must take occasion to observe, that, jealous as we are (say, with the *most jealous*) of that profound reverence due to the sacred text, and strenuously as we object to all light or presumptuous application of it, we cannot think any such objection admissible against the introduction of the gospel quotation, forming, as it were, a text to the beautiful and *scriptural* strain of poetry which follows from the lips of the dying teacher. The sermon is not the less instructive for being poetical, (what but strains of the noblest poetry are the blessed Scriptures themselves?) nor in our opinion is a dramatic fiction, of so pure and purifying a character and tendency as "The Poor Scholar," a more objectionable vehicle for the conveyance of religious impressions than the Eastern parables of inspired *human* teachers—of those which proceeded from the lips that "spake as never man spake," we presume not even to *think* in a comparative sense. But if, in the instance under immediate consideration, we take upon us to justify the appropriation of holy writ, a deep sense of its awfulness compels us to add, that it has been too freely and boldly resorted to in another passage of this volume. We allude to the long portion selected from our solemn and affecting burial service at the commencement of scene fifth in "The Old Man." Mary Howitt, not being a member of our church, may not perhaps have formed an adequate idea of the feelings with which that passage *must* be read by every child of the Establishment who has heard them pronounced over the open grave into which "some form beloved" has been just lowered.

We are made sensible, by an involuntary shrinking, that *this* approaches too near to profanation; yet are we sure that the insertion of the solemn passage was prompted by a pure and devotional feeling.

Now to proceed with our more pleasant duty. "The Poor Scholar" remarks upon the sentence from St. John—

"Most precious words! Now go your way,
The summer fields are green and bright.
Your tasks are done;—Why do you stay?
Christ give his peace to you! Good-night!
Boy. You look so pale, sir! You are worse,
Let me remain and be your nurse!
Sir, when my mother has been ill,
I've kept her chamber neat and still,
And waited on her all the day!
Schol. Thank you! but yet you must not stay.
Still, still my boy, before we part
Receive my blessing—'tis my last!
I feel Death's hand is on my heart,
And my life's sun is sinking fast:
Yet mark me, child, I have no fear,—
'Tis thus the Christian meets his end:
I know my work is finished here,
And God—thy God to—is my friend!
Thy joyful course has just begun;
Life is in thee a fountain strong;
Yet look upon a dying man,
Receive his words, and keep them long!
Fear God, all-wise, omnipotent,
In him we live and have our being;
He hath all love, all blessing sent—
Creator—Father—All-decreeing!!
Fear him, and love, and praise, and trust;
Yet have of man no slavish fear;
Remember kings, like thee, are dust,
And at one judgment must appear.
But virtue, and its holy fruits,
The poet's soul—the sage's sense,
These are exalted attributes.
And these deserve thy reverence.
But, boy, remember this, e'en then,
Revere the gifts, but not the men!
Obey thy parents—they are given
To guide our inexperienced youth;
Types are they of the One in heaven,
Chastising but in love and truth.
Keep thyself pure—Sin doth deface
The beauty of our spiritual life;
Do good to all men—live in peace
And charity, abhorring strife.
The mental power which God has given,
As I have taught thee, cultivate;
Thou canst not be too wise for heaven,
If thou dost humbly consecrate
Thy soul to God. And ever take
In his good book delight; there lies
The highest knowledge, which will make
Thy soul unto salvation wise.
My little boy, thou canst not know
How strives my spirit fervently,
How my heart's fountains overflow
With yearning tenderness for thee!
God keep, and strengthen thee from sin—
God crown thy life with peace and joy,
And give at last to enter in
The city of his rest!"

We are much mistaken if this beautiful passage does not equal, in its exquisitely simple pathos, some of the most touching portions of Goethe's Faust. The flow of verse is quiet and melodious, like the run of silver waters, slipping away over their pebbly bed.

The poor Scholar is left alone to his dying meditations. It is difficult to refrain from large quotation—but we are restricted, and must do so. The Tempter who, it appears, has visited him for some time past in the personification of a Philosopher—an *esprit fort*—now enters; and, after some glozing talk, enquires,—

"*Philos.* Have you perused the books I left with you?
Schol. I have, and like them not.
Philos. Indeed, indeed!
Are they not full of lofty argument,
And burning eloquence? For a strong soul,
Baptized in the immortal wells of thought,
They must be glorious food.
Schol. Pardon me, sir,
They are to specious; they gloss over error
With tinsel covering, which is not like truth,
Oh, give them not to young and ardent minds;
They will mislead, and baffle, and confound.
Besides, among the Sages whom you boast of,
A purer, nobler, loftier character,
More innocent, and yet more filled with wisdom,
Than the Lord Jesus?—dignified, yet humble;
Warring 'gainst sin, and yet for sinners dying!
Philos. Well, pass the men;—what say you to the morals?
Schol. And where is the Utopian code of morals
Equal to that, which a few words set forth
Us the Christian,—'Do ye so to others
As ye would they should do unto yourselves?'
And where among the fables of your poets,
Which [illegible] veil the divinest truths,
Find you [illegible] Prodigal coming back
Unto his [illegible] thus to show
God's love, and [illegible] ship to him?
Where do they teach us, [illegible] many needs,
To lift up our bowed, broken hearts to God,
And call him Father? Leave me as I am;
I am not ignorant, though my learning lie
In this small book—nor do I ask for more.
— — — — — —
— — — — — —
Philos. Come, come, my friend, this is mere declamation,
You have misunderstood both them and me.
Point out the errors—you shall find me ever
Open unto conviction.
Schol. See my state—
A few short hours, and I must be with God:
And yet you ask me to evolve that long
Entanglement of subtlest sophistry!
This is no friendly part: But I conjure you
Give not your soul to vain philosophy:
The drooping Christain at the hour of death
Needs other, mightier wisdom than it yields."
— — — — — —
— — — — — —

Among various lures, the tempter now holds forth the glorious anticipation of an immortality of fame, which failing also, he hastily interposes.

"*Philos.* ——Not to be great—
You do mistake my drift—but greatly useful
Surely you can not this meanest ambition!
Schol. Sir, had the will of God ordained a wider,
A nobler sphere of usefulness on earth,
He would have given me strength, and health, and power,
For its accomplishment. I murmur not
That little is has been done, but rather bless Him
Who has permitted me to do that little:
And die content in His sufficient mercy,
Which has vouchsafed reward above my merit."

After some farther important trial, the Evil One is finally baffled, and retires "abashed;" and the poor Scholar is once more left alone as he pathetically prays, "to die in peace:" and the peace of God is with him in that hour. After some most solemn meditation, and tender references to his absent, widowed mother, he kneels beside "his pallet bed," and prays—

"*Schol.* Almighty God! look down.
Upon my feeble servant! strengthen him!
Give him the victor's crown—
And let not faith be dim!
Oh! how unworthy of thy grace,
How poor, how needy, stained with sin!
How can I enter in
Thy kingdom, and behold thy face!
Except thou hadst redeemed me, I had gone
Without sustaining knowledge, to the grave,
For this I bless thee, oh thou Gracious One!"

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— And thou wilt surely save—
I bless thee for the life which thou hast crowned
With never-ending good;
For pleasures that were found,
Like way-side flowers, in quiet solitude—
I bless thee for the love that watched o'er me
Through the weak years of infancy,
That has been, like thine everlasting truth,
The guide, the guardian angel of my youth.
Oh, thou! that did'st at the mother's heart bestow,
Sustain it in its woe—
For morning give it joy, and praise for heaviness.

[*He falls back on his bed—his mother enters hurriedly.*

Mother. Alas, my son! and am I come too late?"

— — — — — — —
— — — — — — —

"*School*, Mother, farewell! I hear the heavenly voices;
They call! I cannot stay. Farewell! farewell!"

The choir of spiritual voices pours forth a dying requiem, and thus closes this touching dramatic poem, the first of "The Seven Temptations:" our abstract of which, imperfect as it is, has engrossed so large a proportion of our narrow limits, that we can find room for no more than a few extracts without comment. They may be fearlessly trusted to their own pleading, with all those who have poetry enough in their *hearts* to seize upon those "lights from heaven," that escape common eyes, and unpoetic heads. Our first scrap shall be a soliloquy of "Thomas of Torres," the hero of the second temptation—alas! we should rather say—the victim. Accordingly, as our paper holds out, a few fragments from the exquisitely beautiful lyrical pieces with which these poems are interspersed, shall succeed—and so—speak. Thomas of Torres! far advanced already in the road to perdition—but not yet heart seared and wholly forsaken.

"*Thomas* Ah, I remember well
There is a little hollow nerebout,
Where wild brier roses, and blithe honey suckle
Made a thick bower: 'Twas here I used to come
To read sweet books of witching poetry!
Could it be I? No, no, Im so changed
I will not think *this* Man, was once *that* Boy:
The thought would drive me mad. I will but think
I once knew one, who called this vale his own;
I will but think I knew a merry boy,
And a kind gentle father, years agone,
Who had their dwelling here; and that the boy
Did love this lonely nook, and used to find
Here the first nests of summer; here did read
All witching books of glorious poetry;
And thus, that as the boy became a youth,
And gentle feeling strengthened into passion,
And love became the poetry of life;
Hither he wandered with a girlish beauty,
Gathering, like Proserpine, sweet meadow flowers;
And that they sate beneath the wild brier rose,
And that he thus did kiss that maiden's cheek,
The first time as a lover! Oh my God
That was the heir of Jones. A brave boy,
A noble hearted boy! He grew a Man,
And what became of him? Ha! pass me that—
Would that *I knew not* what became of him!"

In the third poem, "The Pirate," Edah, an Indian Maid, sings thus, sitting by her sleeping lover:—

"Little waves upon the deep,
Murmur soft when thou dost sleep
Gentle birds upon the tree
Sing their sweetest songs for thee;
Cooling gales, with voices low,
In the tree-tops gently blow!
Dearest, who dost sleeping lie,
All things love thee, so do I!
"When thou wak'st, the
Treasures for thee
And the earth,
Bring forth
And the glorious heaven above,
Smile on thee, like trusting love.
Dearest, who dost sleeping lie,
All things love thee, so do I!"

From the temptation of "The Old Man," we select—(how difficult to select among gems so bright and many!)—his daughter Margaret's hymn:—

"There is a land where beauty cannot fade,
Nor sorrow dim the eye:
Where true love shall not droop nor dismayed
And none shall ever die.
Where is that land, oh where?
For I would hasten there—
Tell me—I fain would go.
For I am wearied with a heavy woe!
The beautiful have left me all alone!
The true, the tender, from my paths are gone!
Oh guide me with thy hand,
If thou dost know that land,
For I am burdened with oppressive care,
And I am weak and fearful with despair!
Where is it—tell me where?
Thou that art kind and gentle—tell me where?
"Friend thou must trust in Him who trod before
The desolate paths of life:
Must bear in meekness, as He meekly bore
Sorrow, and pain, and strife!
Think how the Son of God
Those thorny paths hath trod;
Think how He longed to go,
Yet tarried not for thee the appointed woe;
Think of His weariness in place dim,
Where no man comforted, nor cared him!
Think of the blood-like sweat
With which His brow was wet;
Yet how He prayed, unaided and alone
In that great agony—'Thy will be done!'
Friend! do not thou despair,
Christ from His heaven of heavens will hear thy prayer!"

"Raymond," the next tempted, succumbs to the tempter, and angelic voices raise for the lost departing soul, the following lament:—

"A song of mourning let each one take up!
Take up a song of wo—
The spirit is gone forth to the unknown,
Yet mightier pange to know!

"Oh thou that wast so beautiful in youth,
How is thy glory dimmed?
We that in gladness hymned
The kindness of thy early love and truth,
Shall we mournmourn for thee,
Lost from our company,
Oh erring human soul!
"Take up a song of wo,
A song of mourning let each one begin!
The spirit is gone forth,
Stained with mortal sin!
Oh star, shorn of thy beams,
How is thy glory gone?
Since from the living streams
Thou burst, a shining one!
In blackness of thick darkness wandering now,
Through night that has no day,
Through pain that has no stay;
Wandering for evermore,
Lost, lost, art thou!
"Oh spirit vexed with fears, by tempests lost!
Oh new born heir, of unthought misery!
Long shall we mourn for thee,
From our bright company
For ever, ever lost!"
For ever, ever lost!"

Though "Phillip of Maine"—"and the sorrow of Theresa" (the last one of our chief favourites) are yet before us—we have not room for another sample—we have been too greedy of beauties, to husband out our limits fairly—one word before we part with our fair authoress.—Let her beware of the *spite of Achzib*—and look to those she loves dearest, through whom the cunning spirit is well aware he may wound her most effectually;—and we have heard from good authority that he has been observed for some time past prowling about the purlieus of Nottingham, in the character of a republican philanthropist; seeking every opportunity of insinuating himself into the company and counsels of a person qualified to shine in far better society whose guardian angel will yet, we trust in conjunction with the agel of his home defeat the machinations of the enemy, and send him howling to *his place*.

NOTE.

We cordially agree with the kind and discriminating commendation bestowed by our amiable and enlightened contributor on "The Seven Temptations." In a few months or so we intend speaking for ourselves, more at length, on the merits of Mary Howitt. To her muse we have more than either once or twice offered the tribute of our praise, though but in few words; and we cannot allow that the slightest blame attaches to us, for not having yet indited a comprehensive critique on compositions, which we have perused with very great pleasure, in common with all lovers of poetical genius. We really were not aware that Mary Howitt had been "an honoured and honouring contributor to the *Magazine*;" but if we had been, most assuredly we should not, on that account, have one hour sooner reviewed her Poems. Our work is neither a Monthly nor a Quarterly Review.

We have given no pledge to the public, to bring before it, without delay, all the poetry of the age, as each new work of worth, great or small, appears; on the contrary, "the river glideth at its own sweet will" of our inspirations; and with us there is no knowing what an hour may bring forth. We often think of many delightful things of which we do not choose to speak; and; while people are saying, Oh on! he never mentions her—her name is never heard," we silly ones know not that our hearts are even then indiling a good matter respecting the object of their peevish admiration. That we love poetry we know—that we understand it we think—that we do it justice in our pages even our enemies acknowledge, if indeed we have any—enemies which for some time past we have been disposed to doubt—so gentle towards us has been the Press. It may have happened that our political opinions—or rather life-deep convictions—have sometimes disinclined us to be very forward in our praise of the literature of those whose principle regarding Church and State, and many of the institutions of social life, we think dangerous or pernicious; and if so, we confess that the fault lies lightly on our conscience. But what is the name of the Periodical that has been, on the whole, more generous and more just to genius than our own? Let our omissions, neglects, or oversights be pointed out to us in a kindly spirit, and in a kindly spirit shall all such suggestions be received and acted on, provided they run not counter to sacred feelings, which we will never sacrifice, either from fear or favour. How pitiful is our contributor's critical acquaintance to bring a general charge of exclusive favouritism against Mags, because of a single supposed instance of neglect, in the face of a hundred instances of warmest praise bestowed by her on the production of those who loved not, till then, the rustling of her green leaves, bright though they be in perennial spring and glistening with dewdrops, that momently evanish, without one seeming to perish among all that multitude of purest pearls! Of whose fame are we anxious? Before whose star do we wish a cloud to gather? Vain, indeed, would such wish be; but our delight is to see every luminary undimmed by vapour—softened but by its own halo; and had we the power, from the face of every one that shines in the sky would we fain dissipate all obscuration—by a breath. Never was there a more miserable mistake than for a Critic to image that he can exalt himself by lowering a Poet. Then the Poetesses! For we love that feminine Noun. Who can speak disparagingly of them" and hope to be forgiven?" Their surnames have all become pleasant to our sense—their Christian names music to our soul. Joana Baillie! Felicia Hemans! Mary Mitford! Caroline Bowles! Letitia Landon! Mary Howitt! The ink-drop hangs trembling in our pen, as it desirous to let down some other names on the paper! and, lo! one has figured itself into letters which we shall not wipe away—Eliza Montague! Though as yet the maiden doth touch the harp strings with an artless hand, that obeys but falteringly the bidding of a heart in its simplicity true to nature. Write down genius! But indeed, the day has gone by for all such vain imaginations: and are we claiming more than our due in asking, if some share of the praise of having exposed their vanity may not be attributed to

CHRISTOPHER NORTH?

Blackwood's Mag. for April.]

THE MAGAZINES FOR APRIL.

There is a perceptible sympathy between the majority of the Magazines and the month—the prestige of April the 1st—seems to be upon them, and they are not up to their usual mark of wisdom. There is more of the jingle of levity about them—the *picolo* music of the small bells. In the *New Monthly* Gilbert Gurney makes melancholy, which is about as foolish a thing as he can do. Slingsby is short and whimsical, but gives us a pleasant ketch of the University town of Newhaven in America, for which we are his debtors. This fortunate seat of learning has the enviable civic advantage to be embowered in noble elm trees—literally, it can boast its academic groves. The article on "English Singers and Singing," is the best of the number—it is nicely critical, and cannot but be useful to those whom it concerns. We hope the writer will continue his strictures, and in a more unsparing spirit—our English vocalists want the lash. The poetical "Reflections on the 1st of April" is as facile a piece of humour as we have met with; it flows on as smoothly and spicily as a goblet of old sack. *Frazer's* "April Fools, or One Hundred Matrimonial Letters," is a votive offering worthy of the season. Prout shines as usual in the "Note Romane" Considering, however, how freely he deals with both Barry the painter, and Gangauelli, it would have been more discreet for his prolocutor, Oliver Yorke, to have reserved his facetious animadversion on historic novelists for some other occasion. The bull, however, is in the ascendant; horns and dilemmas are rife. Frazer's political lucubrations are of the usual hot flavour, relishable, like other ardent spirit potations, by the palates of a special class, and but little to the taste of every one else. The politics of the periodicals in general are, indeed, discreditable. They seem to acquire no advantage from the peculiarity of their position, in reference to the daily press. They have all the intemperance and indiscretion of the latter, without its excuse of hot haste, and but little of the deliberative discrimination of a month's meditation. The daily dressed topics are served up by them with the new moon, not coldly, but reheated and stale. It is but justice to say that this remark is not applicable to the political article which appears in this month's *Monthly*, in which there is a spirit of moderation and truth which must conciliate the esteem of all persons who are capable of excercising a calm independent judgment—even of those who do not concur with the writer in his views. On the other hand, we cannot but regret that the only periodical dedicated to literature, which seems likely to flourish, in Ireland should have yielded itself up wholly to the views of one party. Can the *Dulbin University Magazine* only flourish upon the rank soil of faction? There is, surely, a considerable portion of moderate men in Ireland to countenance such a work, if fairly and ably conducted, and, beyond doubt its support in this country will not be in proportion to the exclusiveness of its zeal. In one of its articles is given a sketch of the origin and objects of the Orange Institution in Ireland, in which the latter would be made to appear as harmless as Freemasonry. It may be so in theory—in practice we fear it has been otherwise and so the Legislative of the country has decided. In the present times it is anything but a source of brotherly love in Ireland. [illegible] this paper has esteemed the loyal and [illegible] by which the political feelings of the members of that association have been distinguished, we need not here remark; but why may not feelings be cherished without the aid of the most formal combination? The high political sects of England, who are so hostile to each other, require no mysterious bonds of union; nor, indeed should oaths, or *solemn ceremonial sanctions, which have the same effect*, be used for the ordinary purposes of party. They are themselves desecrated by the practice, and render those who require their zeal obnoxious to suspicion. They belong to conspiracy, and conspiracy, for the most part, is the expedient of knaves and fools—of the low and ignorant. Admitting that a bigotted peasantry were branded as Ribaudmen or defenders against social order in Ireland, could not, cannot, and will not the respectable and loyal discountenance and defeat their solid projects, without resorting to an Elusinean combination? This question, we doubt not, will be soon set at rest upon the report of the recently appointed Commission. We regret the more that the *Dublin University Magazine* should not take for its basis a more liberal political creed, particularly as in other respects it is supported in a manner creditable to the literary name which it bears, and promising a permanent establishment. We have above mentioned the Masonic Institution, and we are reminded that it has now got its especial periodical—viz. *The Freemasion's Quaterly Review*. Exclusiveness and partiality are bad things in society. They operate great injustice, and in all shapes they are to be condemned, except where an unequivocal good calls for their temporary existence. Masonry is open to this animadversion. It is however, a spoiled child of society, and is too much petted for us to quarrel with it or with its periodical, especially as the latter is the vehicle of intelligence which deeply concerns the sun itself and signs of the zodiac. The latter had better be on their good behaviour now, as "there's a chiel among them taking notes." The literary portion of this review is of a very light kind—exceedingly philanthropic, pleasant to swallow, and easy to digest. The *Sporting Magazines* New and Old, are neither very vicious this month. The New has a good engraving from a portrait of Pussy, by Cooper, and a vignette representing a couple of beagles on the scent, by the same artist, which is spirited and characteristic. In the Old, is a clever sketch of Connelly, the Jockey.—*Morning Herald, April 9.*

MANSION-HOUSE.

A REAL TEMPERANCE SOCIETY.—The proprietor of a house in Cripplegate Ward, waited upon the Lord Mayor, and informed his Lordship that, at the last Licensing court he intended to have applied for a license to sell wine and spirits, but being rather hard of hearing, he had not heard his name called out, and was consequently silent until the Court was broken up.

THE LORD MAYOR—That was badly managed, my friend. How did it happen that you did'nt get somebody to hear for you.

Applicant—My Lord, there were plenty of publicans in the Court that knew me, and I thought they'd have told me.

LORD MAYOR—Bless your soul they were more deaf than you. There are none so deaf as those who will not hear. If I had a public house, myself even next door to you, I'd be as deaf as a post—(laughter).

Applicant—I begin to think they meant it, your Lordship, but I could'nt do them any harm, for my house is for a Temperance Society.

THE LORD MAYOR—Oh, for a Temperance Society! Then you may depend upon it, they thought you would take away all their business.

Applicant, (not distinctly hearing his Lordship)—Please your Lordship, I was there upon the business.

THE LORD MAYOR—Ay, and so were they; and they did their business better than you did your's; and they did your business for you too—(laughter).

Applicant—My Lord, it's hard upon a man that has always kept a quiet and sober house, if he an't to have a license.

THE LORD MAYOR—To keep a drunken and disorderly one—so it certainly is; but what can a Temperance Society want of spirits? I thought they condemned and repudiated every thing of the kind.

Applicant—They condemn the intemperate use of strong liquors; but the moderate use of them is good. They are used with great effect as medicines.

THE LORD MAYOR—And so they are; medicine is a capital name for gin. I'd have you sell all your liquors by that name, and then the ladies can join your Temperance Society without a blush.

Applicant—(still misapprehending his Lordship)—No, my Lord, it isn't to accommodate the ladies I want the license. You must know that many working men come in to drink beer, and they often wish for a drop of gin.

The LORD MAYOR—Medicine you mean call it gin, I am afraid the Magistrates will think you want to make your temperance shop an impure public-house, and refuse to oblige you. Apply, however, next licensing day, and let us see some of your society. For my part, I think if you don't succeed, they'll quit your concern—(laughter).—*Herald.*

THE COUNTRY.

The Bishop of Winchester, the Reverend M. Pullen, and two others, were tried at Kingston on Thursday, on a charge of assaulting the Reverend Cornelius Griffin, at a meeting of the Society for the Propagation of the Gospel in Foreign Parts, held at Epsom on the 21st of October last. It appeared that the prosecutor, Mr. Griffin, had been put out of the room with some violence for attempting to speak in opposition to the wishes of the meeting. After a short trial, the defendants were all acquitted.

Some dreadful murders have been discovered at Burnham Market, in Norfolk. Mary Taylor, the wife of a [illegible] shoemaker, was taken suddenly ill [illegible] after dinner, and died [illegible] Her body was [illegible] arsenic: her [illegible] but he [illegible] and as it [illegible] was suspected that the [illegible] Taylor had been properly connected with this woman, and as known that his deceased wife had quarrelled with her on that account, Billing was apprehended along with Taylor. She was proved to have purchased arsenic a short time before, and arsenic was found mixed up with some flour in Taylor's house. They were both remanded: but as they were going from before the Magistrates, a woman named Frary, who lived next door, was heard to say to Billing, "Hold your own, and they can't hurt us." In consequence of this Frary was apprehended; and as her husband and a child they kept died suddenly a few weeks ago, their bodies were disinterred and found to contain arsenic. Frary was called in to nurse the woman Taylor, when she was taken ill; and was seen to put some white powder into the gruel she was making for her; in order, as it seemed, to make the murder quite sure. She also mixed arsenic with the flour in Taylor's house, that the parties who attended the funeral of his wife might be poisoned. Frary has been, or pretends to have been struck speechless, since her apprehension; but Billing has confessed all. She was in league with Frary who administered the poison. This woman is fifty years of age, and has had fourteen children, nine of whom are still alive.

The *Courier* on Monday published a correct epitome of the Report of the Corporation Commissioners. The Report itself, after lying for a week in Mr. GOULBURN's office, was *then* produced in the House of Commons. The Commissioners do not suggest specific or detailed remedies for the abuse which their inquiries brought to light; but they assert distinctly that the "Municipal Corporations of England and Wales neither possess nor deserve the confidence and respect of the community; and that a thorough reform must be effected before they can become what they ought to be, useful and efficient instruments of local government." How far the Tory Ministers are disposed to act in accordance with the spirit of the Report, may be guessed at from the motion of Mr. Secretary GOULBURN last night for a copy of the *protest* of Sir. FRANCIS PALGRAVE. "In the matter of the Report!" It is well known that Sir FRANCIS has committed himself by a book in favour of a *restoration* of the old municipal system in preference to that through purging of it and the substitution of the representative principle, which true Reformers desire to see effected. Therefore it is that Mr. Secretary GOULBURN whom no human being can suppose to be a sincere Reformer, is desirous of giving importance to the individual and preconceived notions of *one* of the Commissioners, in opposition to the judgment of all his colleagues. The country will see through Mr. GOULBURN's tactics, without difficulty and add this to the accumulated mass of motives for seeking the removal of the Tory Government. —*Spectator*

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